



Journal of the House

State of Indiana

122nd General Assembly

First Regular Session

Thirteenth Day

Monday Afternoon

February 15, 2021

The invocation was offered by Chaplain Matt Barnes of the Public Servant's Prayer.

The House convened at 2:30 p.m. with Speaker Pro Tempore Michael K. Karickhoff in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Pressel.

The Speaker ordered the roll of the House to be called:

Abbott	Karickhoff
Andrade	King
Austin	Klinker
Aylesworth	Lauer
Baird <input type="checkbox"/>	Ledbetter
Barrett	Lehe
Bartels	Lehman
Bartlett	Leonard
Bauer	Lindauer
Behning	Lucas
Borders	Lyness
Boy	Manning
Brown, T.	May
Campbell	Mayfield
Carbaugh	McNamara
Cherry	Miller <input type="checkbox"/>
Clere	Moed
Cook	Morris
Davis	Morrison
Davisson	Moseley
DeVon	Negele
DeLaney	Nisly
Dvorak	Olthoff
Eberhart	Pack
Ellington	Payne
Engleman	Pfaff
Errington	Pierce
Fleming	Porter
Frye	Prescott
GiaQuinta	Pressel
Goodrich	Pryor
Gore	Rowray
Gutwein	Saunders
Hamilton	Schaibley
Harris <input type="checkbox"/>	Shackleford
Hatcher <input type="checkbox"/>	Slager
Hatfield	Smaltz
Heaton	Smith, V. <input type="checkbox"/>
Heine	Snow
Hostettler	Soliday
Jackson	Speedy
Jacob	Steuerwald
Jeter	Sullivan
Johnson	Summers
Jordan	Teshka
Judy	Thompson

Torr
VanNatter
Vermilion
Wesco

J. Young
Zent ☐
Ziemke
Mr. Speaker ☐

Roll Call 118: 93 present; 7 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, February 16, 2021, at 2:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 13

Representative Jacob introduced House Concurrent Resolution 13:

A CONCURRENT RESOLUTION to nullify unconstitutional state and federal laws, agencies, programs, and international treaties and provide a transition period.

Whereas, The plain wording of Article 1, Section 25 of the Constitution of the State of Indiana, IC 1-1-2-1, and the Tenth Amendment to the Constitution of the United States is binding law: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. No state or federal law, agency, program, or international treaty that depends upon authority not specifically granted by the Constitution of the State of Indiana or the Constitution of the United States shall be valid.

SECTION 2. Any state or federal agency, law, program, or international treaty transcending authority specifically granted by the Constitution of the State of Indiana or the Constitution of the United States is null and void.

SECTION 3. Unconstitutional laws, agencies, programs, and international treaties have created both problems and dependencies that will take time to rectify; therefore, all unconstitutional governing powers, delegations, laws, programs, treaties, and entities that cannot be immediately nullified must be phased out within not more than ten (10) years.

The resolution was read a first time and referred to the Committee on Government and Regulatory Reform.

House Concurrent Resolution 14

Representative Jacob introduced House Concurrent Resolution 14:

A CONCURRENT RESOLUTION to address inequities in voting.

Whereas, Article 1, Section 23 of the Constitution of the State of Indiana clearly specifies that "The General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities, which, upon the same terms, shall not equally belong to all citizens";

Whereas, The Fourteenth Amendment to the Constitution of the United States clearly specifies that "No State shall...deny to any person within its jurisdiction the equal protection of the laws";

Whereas, Article 1, Section 25 of the Constitution of the State of Indiana specifies that "No law shall be passed, the taking effect of which shall be made to depend upon any authority, except as provided in this Constitution;

Whereas, The Indiana Code subsumes itself under both state and federal constitutions in IC 1-1-2-1;

Whereas, IC 3 has over time created special classes of citizens, with a hierarchy of ballot access and political affiliation rules, varying privileges, limitations, or immunities, which, upon the same terms, do not equally belong to all citizens;

Whereas, Examples of special class of citizens, privileges, or immunities, which upon the same terms, do not equally belong to all citizens are found in IC 3-5-1-2, IC 3-5-2-5.5, IC 3-5-2-30, IC 3-5-3-7, IC 3-6-4.1-2, and IC 3-10-1-2; and

Whereas, These special classes of citizens with hierarchical rights, privileges, limitations, and immunities that are present under IC 3 violate state and federal constitutional rule of law: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the general assembly recognizes both the errors made, and the damages caused, by past legislation.

SECTION 2. That the general assembly resolves to remedy violations of individual rights and transgressions of constitutional rule of law present under IC 3 by appropriate legislation.

The resolution was read a first time and referred to the Committee on Elections and Apportionment.

House Concurrent Resolution 15

Representatives Nisly, Borders and Jacob introduced House Concurrent Resolution 15:

A CONCURRENT RESOLUTION terminating the public health emergency first declared on March 6, 2020, in Executive Order 20-02.

Whereas, Governor Eric Holcomb issued Executive Order 20-02 declaring a public health emergency on March 6, 2020, under the authority of Indiana's Emergency Management and Disaster Law (IC 10-14-3) in response to the global coronavirus disease 2019 (COVID-19) pandemic;

Whereas, IC 10-14-3-12 provides that a state of disaster emergency declared under IC 10-14-3 may not continue for more than thirty (30) days unless the state of disaster emergency is renewed by the governor;

Whereas, Governor Eric Holcomb issued Executive Order 20-17 renewing the public health emergency declared on March 6, 2020, for an additional thirty (30) days effective April 5, 2020;

Whereas, Governor Eric Holcomb issued Executive Order 20-25 renewing the public health emergency originally declared

on March 6, 2020, and renewed on April 5, 2020, for an additional thirty (30) days effective May 5, 2020;

Whereas, Governor Eric Holcomb issued Executive Order 20-30 renewing the public health emergency originally declared on March 6, 2020, and renewed on May 5, 2020, for an additional thirty (30) days effective June 4, 2020;

Whereas, Governor Eric Holcomb issued Executive Order 20-34 renewing the public health emergency originally declared on March 6, 2020, and renewed on June 4, 2020, for an additional thirty (30) days effective July 4, 2020;

Whereas, Governor Eric Holcomb issued Executive Order 20-38 renewing the public health emergency originally declared on March 6, 2020, and renewed on July 4, 2020, for an additional thirty (30) days effective August 3, 2020;

Whereas, Governor Eric Holcomb issued Executive Order 20-41 renewing the public health emergency originally declared on March 6, 2020, and renewed on August 3, 2020, for an additional thirty (30) days effective September 2, 2020;

Whereas, Governor Eric Holcomb issued Executive Order 20-44 renewing the public health emergency originally declared on March 6, 2020, and renewed on September 2, 2020, for an additional thirty (30) days effective October 2, 2020;

Whereas, Governor Eric Holcomb issued Executive Order 20-47 renewing the public health emergency originally declared on March 6, 2020, and renewed on October 2, 2020, for the eighth time and an additional thirty (30) days effective November 1, 2020;

Whereas, Governor Eric Holcomb issued Executive Order 20-49 renewing the public health emergency originally declared on March 6, 2020, and renewed on November 1, 2020, for the ninth time and an additional thirty (30) days effective December 1, 2020;

Whereas, Governor Eric Holcomb issued Executive Order 20-52 renewing the public health emergency originally declared on March 6, 2020, and renewed on December 1, 2020, for the tenth time and an additional thirty (30) days effective December 31, 2020;

Whereas, Governor Eric Holcomb issued Executive Order 21-03 renewing the public health emergency originally declared on March 6, 2020, and renewed on December 31, 2020, for the eleventh time and an additional thirty (30) days effective January 30, 2021;

Whereas, IC 10-14-3-12 authorizes the general assembly, by concurrent resolution, to terminate a state of disaster emergency at any time and specifies that, if the general assembly terminates a state of disaster emergency under the statute, the governor shall issue an executive order or proclamation ending the state of disaster emergency;

Whereas, The general assembly finds that Hoosiers are responsible for and capable of protecting the health and safety of themselves and their families;

Whereas, The general assembly finds that Hoosiers have been educated and informed on how to properly protect themselves and their families from COVID-19;

Whereas, The general assembly finds that the state of emergency is no longer necessary to protect the health, safety, and welfare of the residents of Indiana; and

Whereas, The general assembly finds that the various restrictions imposed upon the residents of Indiana to implement the state of disaster emergency are no longer necessary to protect the health, safety, and welfare of the residents of Indiana: Therefore,

February 15, 2021

FY 2021-2022
Appropriation

FY 2022-2023
Appropriation

House 245
Biennial
Appropriation

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the General Assembly terminates the public health emergency that was originally declared by the Governor on March 6, 2020, and renewed for an eleventh time on January 30, 2021, effective immediately upon the passage of this resolution by the Senate.

SECTION 2. That the General Assembly determines that any actions taken by the Governor or any requirements issued by the Governor pursuant to his authority under an emergency declaration are also hereby terminated.

SECTION 3. That copies of this resolution be transmitted by the Principal Clerk of the House of Representatives to Governor Eric Holcomb.

The resolution was read a first time and referred to the Committee on Rules and Legislative Procedures.

REPORTS FROM COMMITTEES
COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1001, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

- 1 SECTION 1. [EFFECTIVE JULY 1, 2021]**
2
3 (a) The following definitions apply throughout this act:
4 (1) "Augmentation allowed" means the governor and the budget agency are
5 authorized to add to an appropriation in this act from revenues accruing to the
6 fund from which the appropriation was made.
7 (2) "Biennium" means the period beginning July 1, 2021, and ending June 30, 2023.
8 Appropriations appearing in the biennial column for construction or other permanent
9 improvements do not revert under IC 4-13-2-19 and may be allotted.
10 (3) "Equipment" includes machinery, implements, tools, furniture,
11 furnishings, vehicles, and other articles that have a calculable period of service
12 that exceeds twelve (12) calendar months.
13 (4) "Fee replacement" includes payments to universities to be used to pay indebtedness
14 resulting from financing the cost of planning, purchasing, rehabilitation, construction,
15 repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities,
16 and equipment to be used for academic and instructional purposes.
17 (5) "Federally qualified health center" means a community health center that is
18 designated by the Health Resources Services Administration, Bureau of Primary Health
19 Care, as a Federally Qualified Health Center Look Alike under the FED 330 Consolidated
20 Health Center Program authorization, including Community Health Center (330e), Migrant
21 Health Center (330g), Health Care for the Homeless (330h), Public Housing Primary

Care (330i), and School Based Health Centers (330).

(6) "Other operating expense" includes payments for "services other than personal", "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds, and awards", "in-state travel", "out-of-state travel", and "equipment".

(7) "Pension fund contributions" means the state of Indiana's contributions to a specific retirement fund.

(8) "Personal services" includes payments for salaries and wages to officers and employees of the state (either regular or temporary), payments for compensation awards, and the employer's share of Social Security, health insurance, life insurance, dental insurance, vision insurance, deferred compensation - state match, leave conversion, disability, and retirement fund contributions.

(9) "SSBG" means the Social Services Block Grant. This was formerly referred to as "Title XX".

(10) "State agency" means:

(A) each office, officer, board, commission, department, division, bureau, committee, fund, agency, authority, council, or other instrumentality of the state;

(B) each hospital, penal institution, and other institutional enterprise of the state;

(C) the judicial department of the state; and

(D) the legislative department of the state.

However, this term does not include cities, towns, townships, school cities, school townships, school districts, other municipal corporations or political subdivisions of the state, or universities and colleges supported in whole or in part by state funds.

(11) "State funded community health center" means a public or private not for profit (501(c)(3)) organization that provides comprehensive primary health care services to all age groups.

(12) "Total operating expense" includes payments for both "personal services" and "other operating expense".

(b) The state board of finance may authorize advances to boards or persons having control of the funds of any institution or department of the state of a sum of money out of any appropriation available at such time for the purpose of establishing working capital to provide for payment of expenses in the case of emergency when immediate payment is necessary or expedient. Advance payments shall be made by warrant by the auditor of state, and properly itemized and receipted bills or invoices shall be filed by the board or persons receiving the advance payments.

(c) All money appropriated by this act shall be considered either a direct appropriation or an appropriation from a rotary or revolving fund.

(1) Direct appropriations are subject to withdrawal from the state treasury and for expenditure for such purposes, at such time, and in such manner as may be prescribed by law. Direct appropriations are not subject to return and rewithdrawal from the state treasury, except for the correction of an error which may have occurred in any transaction or for reimbursement of expenditures which have occurred in the same fiscal year.

(2) A rotary or revolving fund is any designated part of a fund that is set apart as working capital in a manner prescribed by law and devoted to a specific purpose or purposes. The fund consists of earnings and income only from certain sources or combination of sources. The money in the fund shall be used for the purpose designated by law as working capital. The fund at any time consists of the original appropriation

*FY 2021-2022
Appropriation*

*FY 2022-2023
Appropriation*

*Biennial
Appropriation*

to the fund, if any, all receipts accrued to the fund, and all money withdrawn from the fund and invested or to be invested. The fund shall be kept intact by separate entries in the auditor of state's office, and no part of the fund shall be used for any purpose other than the lawful purpose of the fund or revert to any other fund at any time. However, any unencumbered excess above any prescribed amount may be transferred to the state general fund at the close of each fiscal year unless otherwise specified in the Indiana Code.

SECTION 2. [EFFECTIVE JULY 1, 2021]

For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and for other appropriations not otherwise provided by statute, the following sums in SECTIONS 3 through 10 are appropriated for the periods of time designated from the general fund of the state of Indiana or other specifically designated funds.

In this act, whenever there is no specific fund or account designated, the appropriation is from the general fund.

SECTION 3. [EFFECTIVE JULY 1, 2021]

GENERAL GOVERNMENT

A. LEGISLATIVE

FOR THE GENERAL ASSEMBLY

LEGISLATORS' SALARIES - HOUSE

Total Operating Expense	8,373,634	8,373,634
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HOUSE EXPENSES

Total Operating Expense	11,393,610	11,393,610
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LEGISLATORS' SALARIES - SENATE

Total Operating Expense	2,449,000	2,545,000
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SENATE EXPENSES

Total Operating Expense	10,259,000	11,463,000
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Included in the above appropriations for house and senate expense are funds for a legislative business per diem allowance, meals, and other usual and customary expenses associated with legislative affairs. Each member of the house is entitled, when authorized by the speaker of the house, to the legislative business per diem allowance for every day the member is engaged in official business. The speaker shall authorize the legislative business per diem allowance to be consistent with law and house rules.

Each member of the senate is entitled, when authorized by the president pro tempore of the senate, to the legislative business per diem allowance for every day the member is engaged in official business. The president pro tempore of the senate shall authorize the legislative business per diem allowance to be consistent with law and senate rules.

Each member of the general assembly is entitled, when authorized by the speaker of the house or the president pro tempore of the senate, to the legislative business per diem

1 allowance for every day the member is engaged in official business.

2
3 The legislative business per diem allowance that each member of the general assembly
4 is entitled to receive equals the maximum daily amount allowable to employees of the
5 executive branch of the federal government for subsistence expenses while away from
6 home in travel status in the Indianapolis area. The legislative business per diem changes
7 each time there is a change in that maximum daily amount.

8
9 In addition to the legislative business per diem allowance, each member of the general
10 assembly shall receive the mileage allowance in an amount equal to the standard
11 mileage rates for personally owned transportation equipment established by the federal
12 Internal Revenue Service for each mile necessarily traveled from the member's usual
13 place of residence to the state capitol. However, if the member traveled by a means
14 other than by motor vehicle, and the member's usual place of residence is more than
15 one hundred (100) miles from the state capitol, the member is entitled to reimbursement
16 in an amount equal to the lowest air travel cost incurred in traveling from the
17 usual place of residence to the state capitol. During the period the general assembly
18 is convened in regular or special session, the mileage allowance shall be limited
19 to one (1) round trip each week per member.

20
21 Any member of the general assembly who is appointed by the governor, speaker of
22 the house, president or president pro tempore of the senate, house or senate minority
23 floor leader, or Indiana legislative council to serve on any research, study, or survey
24 committee or commission, or who attends any meetings authorized or convened
25 under the auspices of the Indiana legislative council, including pre-session conferences
26 and federal-state relations conferences, is entitled, when authorized by the legislative
27 council, to receive the legislative business per diem allowance for each day the
28 member is in actual attendance and is also entitled to a mileage allowance, at the
29 rate specified above, for each mile necessarily traveled from the member's usual
30 place of residence to the state capitol, or other in-state site of the committee,
31 commission, or conference. The per diem allowance and the mileage allowance permitted
32 under this paragraph shall be paid from the legislative council appropriation for
33 legislator and lay member travel unless the member is attending an out-of-state
34 meeting, as authorized by the speaker of the house of representatives or the president
35 pro tempore of the senate, in which case the member is entitled to receive:
36 (1) the legislative business per diem allowance for each day the member is engaged
37 in approved out-of-state travel; and
38 (2) reimbursement for traveling expenses actually incurred in connection with the
39 member's duties, as provided in the state travel policies and procedures established
40 by the legislative council.

41
42 Notwithstanding the provisions of this or any other statute, the legislative council
43 may adopt, by resolution, travel policies and procedures that apply only to members
44 of the general assembly or to the staffs of the house of representatives, senate, and
45 legislative services agency, or both members and staffs. The legislative council may
46 apply these travel policies and procedures to lay members serving on research, study,
47 or survey committees or commissions that are under the jurisdiction of the legislative
48 council. Notwithstanding any other law, rule, or policy, the state travel policies and
49 procedures established by the Indiana department of administration and approved

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by the budget agency do not apply to members of the general assembly, to the staffs of the house of representatives, senate, or legislative services agency, or to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council (if the legislative council applies its travel policies and procedures to lay members under the authority of this SECTION), except that, until the legislative council adopts travel policies and procedures, the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency apply to members of the general assembly, to the staffs of the house of representatives, senate, and legislative services agency, and to lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council. The executive director of the legislative services agency is responsible for the administration of travel policies and procedures adopted by the legislative council. The auditor of state shall approve and process claims for reimbursement of travel related expenses under this paragraph based upon the written affirmation of the speaker of the house of representatives, the president pro tempore of the senate, or the executive director of the legislative services agency that those claims comply with the travel policies and procedures adopted by the legislative council. If the funds appropriated for the house and senate expenses and legislative salaries are insufficient to pay all the necessary expenses incurred, including the cost of printing the journals of the house and senate, there is appropriated such further sums as may be necessary to pay such expenses.

LEGISLATORS' SUBSISTENCE

LEGISLATORS' EXPENSES - HOUSE

Total Operating Expense	3,071,402	3,071,402
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LEGISLATORS' EXPENSES - SENATE

Total Operating Expense	1,482,000	1,470,000
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Each member of the general assembly is entitled to a subsistence allowance of forty percent (40%) of the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area for:

(1) each day that the general assembly is not convened in regular or special session; and

(2) each day after the first session day held in November and before the first session day held in January.

However, the subsistence allowance under subdivision (2) may not be paid with respect to any day after the first session day held in November and before the first session day held in January with respect to which all members of the general assembly are entitled to a legislative business per diem.

The subsistence allowance is payable from the appropriations for legislators' subsistence.

The officers of the senate are entitled to the following amounts annually in addition to the subsistence allowance: president pro tempore, \$7,000; assistant president pro tempore, \$3,000; majority floor leader, \$5,500; assistant majority floor leader(s), \$3,500; majority floor leader emeritus, \$2,500; majority caucus chair, \$5,500; assistant majority caucus chair(s), \$1,500; appropriations committee chair, \$5,500;

1 tax and fiscal policy committee chair, \$5,500; appropriations committee ranking
 2 majority member, \$2,000; tax and fiscal policy committee ranking majority member,
 3 \$2,000; majority whip, \$4,000; assistant majority whip, \$2,000; minority floor leader,
 4 \$6,000; minority leader emeritus, \$1,500; minority caucus chair, \$5,000; assistant
 5 minority floor leader, \$5,000; appropriations committee ranking minority member,
 6 \$2,000; tax and fiscal policy committee ranking minority member, \$2,000; minority
 7 whip(s), \$2,000; assistant minority whip, \$1,000; assistant minority caucus chair(s),
 8 \$1,000; agriculture committee chair, \$1,000; natural resources committee chair,
 9 \$1,000; public policy committee chair, \$1,000; corrections and criminal law committee
 10 chair, \$1,000; civil law committee chair, \$1,000; education and career development
 11 chair, \$1,000; elections committee chair, \$1,000; environmental affairs committee
 12 chair, \$1,000; family and children services committee chair, \$1,000; pensions and
 13 labor committee chair, \$1,000; health and provider services committee chair, \$1,000;
 14 homeland security and transportation committee chair, \$1,000; veterans affairs and
 15 the military committee chair, \$1,000; insurance and financial institutions committee
 16 chair, \$1,000; judiciary committee chair, \$1,000; local government committee chair,
 17 \$1,000; utilities committee chair, \$1,000; commerce and technology committee chair,
 18 \$1,000; appointments and claims committee chair, \$1,000; rules and legislative procedure
 19 committee chair, \$1,000; and ethics committee chair, \$1,000. If an officer fills
 20 more than one (1) leadership position, the officer shall be paid for the higher
 21 paid position.

22
 23 Officers of the house of representatives are entitled to the following amounts annually
 24 in addition to the subsistence allowance: speaker of the house, \$7,000; speaker
 25 pro tempore, \$5,000; deputy speaker pro tempore, \$2,000; majority floor leader,
 26 \$5,500; majority caucus chair, \$5,500; majority whip, \$4,000; assistant majority
 27 floor leader(s), \$3,500; assistant majority caucus chair(s), \$2,000; assistant majority
 28 whip(s), \$2,000; ways and means committee chair, \$5,500; ways and means committee
 29 vice chair, \$4,000; ways and means k-12 subcommittee chair, \$1,500; ways and means
 30 higher education subcommittee chair, \$1,500; ways and means budget subcommittee
 31 chair, \$3,000; ways and means health and human services subcommittee chair, \$1,500;
 32 ways and means local government subcommittee chair, \$1,500; minority leader, \$5,500;
 33 minority floor leader, \$4,500; minority caucus chair, \$4,500; minority whip, \$3,000;
 34 assistant minority leader, \$1,500; assistant minority floor leader, \$1,500; assistant
 35 minority caucus chair, \$1,500; assistant minority whip, \$1,500; ways and means committee
 36 ranking minority member, \$3,500; agriculture and rural development committee chair,
 37 \$1,000; commerce, small business, and economic development committee chair, \$1,000;
 38 courts and criminal code committee chair, \$1,000; education committee chair, \$1,000;
 39 elections and apportionment committee chair, \$1,000; employment, labor, and pensions
 40 committee chair, \$1,000; environmental affairs committee chair, \$1,000; statutory
 41 committee on legislative ethics committee chair, \$1,000; family, children, and human
 42 affairs committee chair, \$1,000; financial institutions and insurance committee
 43 chair, \$1,000; government and regulatory reform committee chair, \$1,000; judiciary
 44 committee chair, \$1,000; local government committee chair, \$1,000; natural resources
 45 committee chair, \$1,000; public health committee chair, \$1,000; public policy committee
 46 chair, \$1,000; roads and transportation committee chair, \$1,000; rules and legislative
 47 procedures committee chair, \$1,000; utilities, energy and telecommunications committee
 48 chair, \$1,000; and veterans affairs and public safety committee chair, \$1,000. If
 49 an officer fills more than one (1) leadership position, the officer may be paid

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for each of the paid positions.

If the senate or house of representatives eliminates a committee or officer referenced in this SECTION and replaces the committee or officer with a new committee or position, the above appropriations for subsistence shall be used to pay for the new committee or officer. However, this does not permit any additional amounts to be paid under this SECTION for a replacement committee or officer than would have been spent for the eliminated committee or officer. If the senate or house of representatives creates a new, additional committee or officer, or assigns additional duties to an existing officer, the above appropriations for subsistence shall be used to pay for the new committee or officer, or to adjust the annual payments made to the existing officer, in amounts determined by the legislative council.

If the funds appropriated for legislators' subsistence are insufficient to pay all the subsistence incurred, there are hereby appropriated such further sums as may be necessary to pay such subsistence.

FOR THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE SERVICES AGENCY

Total Operating Expense	17,391,754	17,539,785
LEGISLATOR AND LAY MEMBER TRAVEL		
Total Operating Expense	600,000	700,000

Included in the above appropriations for the legislative council and legislative services agency expenses are funds for usual and customary expenses associated with legislative services.

If the funds above appropriated for the legislative council and the legislative services agency and for legislator and lay member travel are insufficient to pay all the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay those expenses.

Any person other than a member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or legislative council to serve on any research, study, or survey committee or commission is entitled, when authorized by the legislative council, to a per diem instead of subsistence of \$75 per day during the biennium. In addition to the per diem, such a person is entitled to mileage reimbursement, at the rate specified for members of the general assembly, for each mile necessarily traveled from the person's usual place of residence to the state capitol or other in-state site of the committee, commission, or conference. However, reimbursement for any out-of-state travel expenses claimed by lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council shall be based on SECTION 14 of this act, until the legislative council applies those travel policies and procedures that govern legislators and their staffs to such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement permitted in this paragraph shall be paid from the legislative council appropriations for legislative and lay member travel unless otherwise provided for by a specific appropriation.

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Included in the above appropriations for the legislative council and legislative services agency are funds for the printing and distribution of documents published by the legislative council, including journals, bills, resolutions, enrolled documents, the acts of the first and second regular sessions of the 122nd general assembly, the supplements to the Indiana Code for the biennium and the publication of the Indiana Administrative Code and the Indiana Register. Upon completion of the distribution of the Acts and the supplements to the Indiana Code, as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically determined by the legislative council. If the above appropriations for the printing and distribution of documents published by the legislative council are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

TECHNOLOGY INFRASTRUCTURE, SOFTWARE AND SERVICES

Other Operating Expense	4,836,800	3,883,458
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If the above appropriations for technology infrastructure, software, and services are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses, including state video streaming services and legislative closed captioning services. The above appropriations or any part thereof remaining unexpended and unencumbered at the close of any fiscal year remain available for expenditure until the earlier of June 30, 2025, or the purposes for which the appropriations were made are accomplished or abandoned. If any part of the appropriations have not been allotted or encumbered before the expiration of the biennium, the personnel subcommittee of the legislative council may determine that any part of the balance of the appropriations may be reverted to the state general fund.

The legislative services agency shall charge the following fees, unless the legislative council sets these or other fees at different rates:

Annual subscription to the session document service for sessions ending in odd-numbered years: \$900

Annual subscription to the session document service for sessions ending in even-numbered years: \$500

Per page charge for copies of legislative documents: \$0.15

NATIONAL ASSOCIATION DUES

Other Operating Expense	589,537	609,975
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FOR THE COMMISSION ON UNIFORM STATE LAWS

Total Operating Expense	97,811	87,428
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FOR THE INDIANA LOBBY REGISTRATION COMMISSION

Total Operating Expense	362,273	399,238
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**FOR THE INDIANA PUBLIC RETIREMENT SYSTEM
LEGISLATORS' RETIREMENT FUND**

Total Operating Expense	182,512	182,512
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B. JUDICIAL

FOR THE SUPREME COURT

Personal Services	14,443,945	14,443,945
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Other Operating Expense	4,956,660	4,956,660
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The above appropriation for the supreme court personal services includes the subsistence allowance as provided by IC 33-38-5-8.

LOCAL JUDGES' SALARIES

Total Operating Expense	75,897,094	75,897,094
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COUNTY PROSECUTORS' SALARIES

Total Operating Expense	30,017,552	30,017,552
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The above appropriations for county prosecutors' salaries represent the amounts authorized by IC 33-39-6-5.

SUPREME COURT TITLE IV-D

Total Operating Expense	1,950,000	1,950,000
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TRIAL COURT OPERATIONS

Total Operating Expense	1,246,075	1,246,075
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Of the above appropriations, \$500,000 each fiscal year is for court interpreters.

INDIANA COURT TECHNOLOGY

Total Operating Expense	3,000,000	3,000,000
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Court Technology Fund (IC 33-24-6-12)

Total Operating Expense	14,588,380	14,588,380
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Augmentation allowed.

INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY

Total Operating Expense	778,750	778,750
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The above funds are appropriated to the Office of Judicial Administration in lieu of the appropriation made by IC 33-24-13-7.

GUARDIAN AD LITEM

Total Operating Expense	6,337,810	6,337,810
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The Office of Judicial Administration shall use the above appropriations to administer an office of guardian ad litem and court appointed special advocate services and to provide matching funds to counties that are required to implement, in courts with juvenile jurisdiction, a guardian ad litem and court appointed special advocate program for children who are alleged to be victims of child abuse or neglect under IC 31-33 and to administer the program. A county may use these matching funds to supplement amounts collected as fees under IC 31-40-3 to be used for the operation

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of guardian ad litem and court appointed special advocate programs. The county fiscal body shall appropriate adequate funds for the county to be eligible for these matching funds.

ADULT GUARDIANSHIP

Total Operating Expense	1,500,000	1,500,000
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The above appropriations are for the administration of the office of adult guardianship and to provide matching funds to county courts with probate jurisdiction that implement and administer programs for volunteer advocates for seniors and incapacitated adults who are appointed a guardian under IC 29. Volunteer advocates for seniors and incapacitated adults programs shall provide a match of 50% of the funds appropriated by the division of state court administration of which up to half may be an in-kind match and the remainder must be county funds or other local county resources. Only programs certified by the supreme court are eligible for matching funds. The above appropriations include funds to maintain an adult guardianship registry to serve as a data repository for adult guardianship cases and guardians appointed by the courts.

CIVIL LEGAL AID

Total Operating Expense	1,500,000	1,500,000
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The above appropriations include the appropriation provided in IC 33-24-12-7.

SPECIAL JUDGES - COUNTY COURTS

Total Operating Expense	149,000	149,000
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If the funds appropriated above for special judges of county courts are insufficient to pay all of the necessary expenses that the state is required to pay under IC 34-35-1-4, there are hereby appropriated such further sums as may be necessary to pay these expenses.

COMMISSION ON RACE AND GENDER FAIRNESS

Total Operating Expense	380,996	380,996
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INTERSTATE COMPACT FOR ADULT OFFENDERS

Total Operating Expense	236,180	236,180
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PROBATION OFFICERS TRAINING

Total Operating Expense	750,000	750,000
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VETERANS PROBLEM-SOLVING COURT

Total Operating Expense	1,000,000	1,000,000
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DRUG AND ALCOHOL PROGRAMS FUND

Total Operating Expense	100,000	100,000
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FOR THE PUBLIC DEFENDER COMMISSION

Total Operating Expense	25,720,000	25,720,000
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Public Defense Fund (IC 33-40-6)

Total Operating Expense	7,400,000	7,400,000
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The above appropriation is made in addition to the distribution authorized by IC 33-37-7-9(c) for the purpose of reimbursing counties for indigent defense services

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provided to a defendant. Administrative costs may be paid from the public defense fund. Any balance in the public defense fund is appropriated to the public defender commission. Of the above appropriations, \$1,000,000 each year is for the public defense of the parents of children in need of services.

FOR THE COURT OF APPEALS

Personal Services	11,140,624	11,140,624
Other Operating Expense	1,593,452	1,593,452

The above appropriations for the court of appeals personal services include the subsistence allowance provided by IC 33-38-5-8.

FOR THE TAX COURT

Personal Services	760,834	760,834
Other Operating Expense	154,249	154,249

FOR THE PUBLIC DEFENDER

Personal Services	6,736,625	6,736,625
Other Operating Expense	762,318	762,318

FOR THE PUBLIC DEFENDER COUNCIL

Personal Services	1,405,856	1,405,856
Other Operating Expense	300,589	300,589

FOR THE PROSECUTING ATTORNEYS' COUNCIL

Personal Services	1,117,170	1,117,170
Other Operating Expense	136,660	136,660

DRUG PROSECUTION

Drug Prosecution Fund (IC 33-39-8-6)

Total Operating Expense	221,709	221,709
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Augmentation allowed.

HIGH TECH CRIMES UNIT PROGRAM

Total Operating Expense	3,000,000	3,000,000
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TITLE IV-D REIMBURSEMENT FUND

Total Operating Expense	1,950,000	1,950,000
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FOR THE INDIANA PUBLIC RETIREMENT SYSTEM**JUDGES' RETIREMENT FUND**

Total Operating Expense	10,410,696	10,893,703
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PROSECUTORS' RETIREMENT FUND

Total Operating Expense	4,044,194	4,155,409
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C. EXECUTIVE**FOR THE GOVERNOR'S OFFICE**

Personal Services	1,752,359	1,752,359
Other Operating Expense	81,000	81,000

GOVERNOR'S RESIDENCE

Total Operating Expense	100,413	100,413
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Appropriation**GOVERNOR'S CONTINGENCY FUND**

Total Operating Expense	5,104	5,104
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SUBSTANCE ABUSE PREVENTION, TREATMENT, AND ENFORCEMENT**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	5,000,000	5,000,000
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WASHINGTON LIAISON OFFICE

Total Operating Expense	51,936	51,936
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FOR THE LIEUTENANT GOVERNOR

Total Operating Expense	4,823,513	4,823,513
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LIEUTENANT GOVERNOR'S CONTINGENCY FUND

Total Operating Expense	4,341	4,341
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Direct disbursements from the lieutenant governor's contingency fund are not subject to the provisions of IC 5-22.

FOR THE SECRETARY OF STATE**ADMINISTRATION**

Personal Services	4,486,932	4,486,932
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Other Operating Expense	845,612	845,612
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VOTER EDUCATION OUTREACH

Total Operating Expense	0	400,000
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FOR THE ATTORNEY GENERAL

20,132,051	20,132,051	
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Agency Settlement Fund (IC 4-12-16-2)

3,554,032	3,554,032	
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Augmentation allowed.

Homeowner Protection Unit Account (IC 4-6-12-9)

473,186	473,186	
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Augmentation allowed.

Real Estate Appraiser Licensing (IC 25-34.1-8-7.5)

50,000	50,000	
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Augmentation allowed.

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

818,916	818,916	
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Augmentation allowed.

Abandoned Property Fund (IC 32-34-1-33)

2,054,730	2,054,730	
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Augmentation allowed.

The amounts specified from the general fund, homeowner protection unit account, agency settlements fund, real estate appraiser investigative fund, tobacco master settlement agreement fund, and abandoned property fund are for the following purposes:

Personal Services	23,883,469	23,883,469
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Other Operating Expense	3,199,446	3,199,446
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Appropriation**MEDICAID FRAUD CONTROL UNIT**

Total Operating Expense	1,400,000	1,400,000
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The above appropriation is the state's matching share of funding for the state Medicaid fraud control unit under IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). Augmentation allowed from collections.

UNCLAIMED PROPERTY**Abandoned Property Fund (IC 32-34-1-33)**

Total Operating Expense	7,883,908	7,883,908
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Augmentation allowed.**D. FINANCIAL MANAGEMENT****FOR THE AUDITOR OF STATE**

Personal Services	5,503,465	5,503,465
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Other Operating Expense	1,429,870	1,429,870
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FOR THE STATE BOARD OF ACCOUNTS

Personal Services	13,720,717	13,720,717
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EXAMINATIONS**Examinations Fund (IC 5-11-4-3)**

Total Operating Expense	15,292,119	15,292,119
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Augmentation allowed.**FOR THE OFFICE OF MANAGEMENT AND BUDGET**

Personal Services	466,174	466,174
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Other Operating Expense	31,341	31,341
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FOR THE DISTRESSED UNIT APPEAL BOARD

Total Operating Expense	4,250,000	4,250,000
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FOR THE MANAGEMENT AND PERFORMANCE HUB

Total Operating Expense	7,375,352	7,375,352
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FOR THE STATE BUDGET AGENCY

Personal Services	3,640,731	3,640,731
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Other Operating Expense	205,167	205,167
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BUDGET AGENCY CONTINGENCY FUND

Total Operating Expense	2,800,000	47,800,000
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Budget Agency Contingency Fund (IC 4-12-17)

Total Operating Expense	10,000,000	10,000,000
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Augmentation allowed.

Any balance remaining on June 30, 2021 in the Personal Services/Fringe Benefits Contingency Fund shall be transferred to the budget agency contingency fund effective July 1, 2021.

OUTSIDE ACTS

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1	Total Operating Expense	1	1
2	Augmentation allowed.		
3			
4	STATE BUDGET COMMITTEE		
5	Total Operating Expense	86,312	86,312
6	Augmentation allowed.		
7			
8	Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of		
9	the budget committee is equal to one hundred fifty percent (150%) of the legislative		
10	business per diem allowance.		
11			
12	THIRTEENTH CHECKS		
13	Total Operating Expense	33,800,000	34,400,000
14			
15	Notwithstanding IC 5-10.2-12-2 for the funds that have established supplemental		
16	allowance reserve accounts, the above appropriation shall be used to fund thirteenth		
17	checks for retired members of the public employees' retirement fund, the teachers'		
18	retirement fund, the state excise police, gaming agent, gaming control officer,		
19	and conservation enforcement officers' retirement plan, the state police pre-1987		
20	benefit system, and the state police 1987 benefit system. In FY 2022 and FY 2023,		
21	the budget agency shall transfer to the Indiana public retirement system and the		
22	Treasurer of State the amounts determined necessary to fund thirteenth checks as		
23	required by a statute or statutes enacted for this purpose by the 122nd General		
24	Assembly.		
25			
26	FOR THE INDIANA PUBLIC RETIREMENT SYSTEM		
27	PUBLIC SAFETY PENSION		
28	Total Operating Expense	155,000,000	152,500,000
29	Augmentation allowed.		
30			
31	FOR THE TREASURER OF STATE		
32	Personal Services	1,286,204	1,286,204
33	Other Operating Expense	46,305	46,305
34	ABLE AUTHORITY (IC 12-11-14)		
35	Total Operating Expense	285,500	294,000
36			
37	E. TAX ADMINISTRATION		
38			
39	FOR THE DEPARTMENT OF REVENUE		
40	COLLECTION AND ADMINISTRATION		
41	Personal Services	41,406,274	41,406,274
42	Other Operating Expense	17,697,908	22,497,908
43			
44	With the approval of the governor and the budget agency, the department shall annually		
45	reimburse the state general fund for expenses incurred in support of the collection		
46	of dedicated fund revenue according to the department's cost allocation plan.		
47			
48	With the approval of the governor and the budget agency, the foregoing sums for		
49	the department of state revenue may be augmented to an amount not exceeding in total,		

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together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department of state revenue from taxes and fees.

OUTSIDE COLLECTIONS

Total Operating Expense	4,585,887	4,585,887	
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With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue's outside collections may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

MOTOR CARRIER REGULATION**Motor Carrier Regulation Fund (IC 8-2.1-23)**

Personal Services	5,205,090	5,205,090	
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Other Operating Expense	3,409,489	3,409,489	
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Augmentation allowed.

FOR THE INDIANA GAMING COMMISSION**State Gaming Fund (IC 4-33-13-2)**

	2,310,874	2,310,874	
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Gaming Investigations Fund (IC 4-33-4-18(b))

	1,074,000	1,074,000	
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The amounts specified from the state gaming fund and gaming investigations fund are for the following purposes:

Personal Services	3,047,610	3,047,610	
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Other Operating Expense	337,264	337,264	
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Augmentation allowed.

The above appropriations to the Indiana gaming commission are made from revenues accruing to the state gaming fund under IC 4-33 before any distribution is made under IC 4-33-13-5.

The above appropriations to the Indiana gaming commission are made instead of the appropriation made in IC 4-33-13-4.

GAMING RESEARCH DIVISION

Personal Services	5,000	5,000	
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Other Operating Expense	320,000	320,000	
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ATHLETIC COMMISSION**State Gaming Fund (IC 4-33-13-2)**

Total Operating Expense	92,371	92,371	
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Augmentation allowed.

Athletic Fund (IC 4-33-22-9)

Total Operating Expense	6,000	6,000	
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Augmentation allowed.

FANTASY SPORTS REGULATION AND ADMINISTRATION

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1	Fantasy Sports Regulation and Administration Fund (IC 4-33-24-28)		
2	Total Operating Expense	25,500	25,500
3	Augmentation allowed.		
4			
5	FOR THE INDIANA HORSE RACING COMMISSION		
6	Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)		
7	Personal Services	1,873,711	1,873,711
8	Other Operating Expense	409,870	409,870
9			
10	The above appropriations to the Indiana horse racing commission are made from revenues		
11	accruing to the Indiana horse racing commission before any distribution is made		
12	under IC 4-31-9.		
13			
14	STANDARD BRED ADVISORY BOARD		
15	Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)		
16	Total Operating Expense	193,500	193,500
17	Augmentation allowed.		
18			
19	FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE		
20	Personal Services	3,201,090	3,201,090
21	Other Operating Expense	495,111	495,111
22	Assessment Training Fund (IC 6-1.1-5.5-4.7)		
23	Total Operating Expense	540,280	540,280
24	Augmentation allowed.		
25			
26	FOR THE INDIANA BOARD OF TAX REVIEW		
27	Personal Services	1,292,876	1,292,876
28	Other Operating Expense	74,092	74,092
29	Assessment Training Fund (IC 6-1.1-5.5-4.7)		
30	Total Operating Expense	320,628	320,628
31	Augmentation allowed.		
32			
33	F. ADMINISTRATION		
34			
35	FOR THE DEPARTMENT OF ADMINISTRATION		
36	Personal Services	10,153,021	10,153,021
37	Other Operating Expense	11,671,441	11,671,441
38	MOTOR POOL ROTARY FUND		
39	Total Operating Expense	4,882,500	7,875,000
40	Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)		
41	Total Operating Expense	28,000	0
42	Gaming Enforcement Agents (IC 4-35-4-5)		
43	Total Operating Expense	18,980	18,980
44	Charity Gaming Enforcement Fund (IC 4-32.3-7-1)		
45	Total Operating Expense	21,942	21,942
46	Fire and Building Services Fund (IC 22-12-6-1)		
47	Total Operating Expense	345,847	320,053
48	State Highway Fund (IC 8-23-9-54)		
49	Total Operating Expense	3,089,000	3,089,000

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The budget agency may transfer portions of the above dedicated fund appropriations from the department of administration back to the agency that provided the appropriation if necessary.

In addition to the appropriations above, the budget agency with the approval of the governor may transfer appropriations to the motor pool rotary fund for the purchase of vehicles and related equipment.

FOR THE STATE PERSONNEL DEPARTMENT

Personal Services	2,863,157	2,863,157
Other Operating Expense	152,830	152,830

GOVERNOR'S FELLOWSHIP PROGRAM

Total Operating Expense	280,779	280,779
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OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS

Total Operating Expense	1,500,000	1,500,000
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FOR THE STATE EMPLOYEES' APPEALS COMMISSION

Total Operating Expense	127,197	127,197
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FOR THE OFFICE OF TECHNOLOGY

PAY PHONE FUND

Correctional Facilities Calling System Fund (IC 5-22-23-7)

Total Operating Expense	1,175,918	1,175,918
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Augmentation allowed.

The pay phone fund is established for the procurement of hardware, software, and related equipment and services needed to expand and enhance the state campus backbone and other central information technology initiatives. Such procurements may include, but are not limited to, wiring and rewiring of state offices, Internet services, video conferencing, telecommunications, application software, and related services. Notwithstanding IC 5-22-23-5, the fund consists of the net proceeds received from contracts with companies providing phone services at state institutions and other state properties. The fund shall be administered by the office of technology. Money in the fund may be spent by the office in compliance with a plan approved by the budget agency. Any money remaining in the fund at the end of any fiscal year does not revert to the general fund or any other fund but remains in the pay phone fund.

FOR THE INDIANA ARCHIVES AND RECORDS ADMINISTRATION

Personal Services	1,504,877	1,504,877
Other Operating Expense	481,021	481,021

The above appropriations include funds for the Indiana archives and records administration to conduct a study to determine the cost of digitizing all records housed at the archives of historic significance or that are of general interest to researchers and the public. The study should include the estimated cost of creating a website through which the public could access the digital records of the archives. The study shall be submitted to the Budget Committee by no later than November 1, 2022.

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Appropriation**FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR**

Personal Services	246,841	246,841
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Other Operating Expense	35,867	35,867
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G. OTHER**FOR THE OFFICE OF INSPECTOR GENERAL**

Personal Services	1,111,157	1,111,157
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Other Operating Expense	74,000	74,000
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STATE ETHICS COMMISSION

Total Operating Expense	4,011	4,011
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FOR THE SECRETARY OF STATE**ELECTION DIVISION**

Personal Services	1,020,095	1,020,095
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Other Operating Expense	224,506	224,506
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VOTER LIST MAINTENANCE

Total Operating Expense	516,174	516,174
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VOTER REGISTRATION SYSTEM

Total Operating Expense	3,211,759	3,211,759
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VOTING SYSTEM TECHNICAL OVERSIGHT PROGRAM

Total Operating Expense	595,000	595,000
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SECTION 4. [EFFECTIVE JULY 1, 2021]**PUBLIC SAFETY****A. CORRECTION****FOR THE DEPARTMENT OF CORRECTION****CENTRAL OFFICE**

Personal Services	15,786,135	15,786,135
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Other Operating Expense	10,585,988	10,585,988
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ESCAPEE COUNSEL AND TRIAL EXPENSE

Total Operating Expense	199,736	199,736
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COUNTY JAIL MISDEMEANANT HOUSING

Total Operating Expense	4,152,639	4,152,639
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ADULT CONTRACT BEDS

Total Operating Expense	1,048,200	1,048,200
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STAFF DEVELOPMENT AND TRAINING

Personal Services	2,395,274	2,395,274
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Other Operating Expense	205,438	205,438
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PAROLE BOARD

Total Operating Expense	887,990	887,990
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INFORMATION MANAGEMENT SERVICES

Total Operating Expense	1,374,209	1,374,209
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JUVENILE TRANSITION

Total Operating Expense	1,436,884	1,436,884
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Appropriation**COMMUNITY CORRECTIONS PROGRAMS**

Total Operating Expense	72,449,242	72,449,242
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The above appropriations for community corrections programs are not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other law.

Notwithstanding IC 4-13-2-19 and any other law, the above appropriations for community corrections programs do not revert to the general fund or another fund at the close of a state fiscal year but remain available in subsequent state fiscal years for the purposes of the program.

The appropriations are not subject to having allotment withheld by the state budget agency.

HOOSIER INITIATIVE FOR RE-ENTRY (HIRE)

Total Operating Expense	648,742	648,742
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INDIANAPOLIS RE-ENTRY EDUCATION FACILITY

Total Operating Expense	700,000	700,000
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CENTRAL EMERGENCY RESPONSE

Personal Services	1,226,045	1,226,045
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Other Operating Expense	142,812	142,812
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HEPATITIS C TREATMENT

Total Operating Expense	19,682,000	24,037,000
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DRUG ABUSE PREVENTION

Drug Abuse Fund (IC 11-8-2-11)		
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Total Operating Expense	127,500	127,500
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Augmentation allowed.		
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EXONERATION FUND

Total Operating Expense	1	1
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Augmentation allowed.		
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The above appropriation shall be used for expenses relating to the restitution of wrongfully incarcerated persons in IC 5-2-23. The department shall collaborate with the Indiana Criminal Justice Institute to administer this program.

COUNTY JAIL MAINTENANCE CONTINGENCY FUND

Total Operating Expense	31,000,000	31,000,000
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The above appropriations for the county jail maintenance contingency fund are for reimbursing sheriffs for the costs of 1) persons convicted of level 6 felonies and 2) jail and parole holds.

Of the above appropriation, the department of correction may distribute up to \$25,300,000 to sheriffs for the cost of persons convicted of level 6 felonies that are incarcerated in county jails pursuant to IC 35-38-3-3(d). The department shall adopt a formula, subject to approval by the state budget agency, that allocates this funding to sheriffs in a manner that considers previous

reimbursements for persons convicted of level 6 felonies and the current number of level 6 abstracts in a county jail in proportion to all county jails.

Of the above appropriation, the department of correction may distribute up to \$5,700,000 to sheriffs for the costs of jail and parole holds. The department shall reimburse sheriffs up to \$37.50 per day for the costs of persons incarcerated in county jails that are convicted of felonies. Reimbursement shall be based on the later of 1) the dates of incarceration when persons are incarcerated for more than five (5) days after the day of sentencing or 2) the date upon which the department receives the abstract of judgment and sentencing order. All requests for reimbursement shall be in conformity with department of correction policy. In addition to the per diem of up to \$37.50, the state shall reimburse the sheriffs for expenses determined by the sheriff to be medically necessary medical care to the convicted persons. If the sheriff or county receives money with respect to a convicted person (from a source other than the county), the per diem or medical expense reimbursement with respect to the convicted person shall be reduced by the amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a) or transport convicted persons within five (5) days after the day of sentencing if the department of correction does not have the capacity to receive the convicted person.

The state budget agency may only augment this appropriation if the \$5,700,000 allocated for the costs of jail and parole holds is insufficient. Any augmentation may only be used to pay for additional jail and parole holds and may not be used to provide additional funding to sheriffs for persons convicted of level 6 felonies or to increase the jail and parole hold per diem of up to \$37.50.

CORRECTIONAL SERVICES

Total Operating Expense	145,159,148	145,159,148
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The above appropriations include amounts for food, educational, and medical services.

JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI)

Total Operating Expense	3,017,447	3,017,447
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PAROLE DIVISION

Total Operating Expense	13,810,281	13,810,281
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HERITAGE TRAIL CORRECTIONAL FACILITY

Total Operating Expense	8,738,507	8,738,507
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SOUTH BEND COMMUNITY RE-ENTRY CENTER

Total Operating Expense	2,171,865	2,171,865
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Work Release Fund (IC 11-10-8-6.5)

Total Operating Expense	655,820	655,820
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Augmentation allowed

INDIANA STATE PRISON

Personal Services	36,670,286	36,670,286
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Other Operating Expense	5,528,973	5,528,973
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PENDLETON CORRECTIONAL FACILITY

		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Personal Services	33,896,695	33,896,695	
2	Other Operating Expense	4,394,466	4,394,466	
3	CORRECTIONAL INDUSTRIAL FACILITY			
4	Personal Services	22,446,621	22,446,621	
5	Other Operating Expense	1,364,124	1,364,124	
6	INDIANA WOMEN'S PRISON			
7	Personal Services	12,993,480	12,993,480	
8	Other Operating Expense	1,304,985	1,304,985	
9	PUTNAMVILLE CORRECTIONAL FACILITY			
10	Personal Services	33,377,336	33,377,336	
11	Other Operating Expense	2,814,807	2,814,807	
12	WABASH VALLEY CORRECTIONAL FACILITY			
13	Personal Services	43,044,710	43,044,710	
14	Other Operating Expense	3,953,977	3,953,977	
15	BRANCHVILLE CORRECTIONAL FACILITY			
16	Personal Services	17,681,071	17,681,071	
17	Other Operating Expense	2,023,166	2,023,166	
18	WESTVILLE CORRECTIONAL FACILITY			
19	Personal Services	47,091,628	47,091,628	
20	Other Operating Expense	4,183,941	4,183,941	
21	ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN			
22	Personal Services	16,823,679	16,823,679	
23	Other Operating Expense	1,773,034	1,773,034	
24	PLAINFIELD CORRECTIONAL FACILITY			
25	Personal Services	24,846,722	24,846,722	
26	Other Operating Expense	3,063,226	3,063,226	
27	RECEPTION AND DIAGNOSTIC CENTER			
28	Personal Services	16,197,190	16,197,190	
29	Other Operating Expense	1,272,105	1,272,105	
30	MIAMI CORRECTIONAL FACILITY			
31	Personal Services	31,243,293	31,243,293	
32	Other Operating Expense	4,485,552	4,485,552	
33	NEW CASTLE CORRECTIONAL FACILITY			
34	Other Operating Expense	41,398,400	41,398,400	
35	CHAIN O' LAKES CORRECTIONAL FACILITY			
36	Personal Services	1,659,389	1,659,389	
37	Other Operating Expense	205,475	205,475	
38	MADISON CORRECTIONAL FACILITY			
39	Personal Services	12,089,906	12,089,906	
40	Other Operating Expense	1,280,043	1,280,043	
41	EDINBURGH CORRECTIONAL FACILITY			
42	Personal Services	4,357,056	4,357,056	
43	Other Operating Expense	365,579	365,579	
44	NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY			
45	Personal Services	12,867,579	12,867,579	
46	Other Operating Expense	752,485	752,485	
47	LAPORTE JUVENILE CORRECTIONAL FACILITY			
48	Personal Services	4,221,165	4,221,165	
49	Other Operating Expense	284,745	284,745	

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Appropriation**PENDLETON JUVENILE CORRECTIONAL FACILITY**

Personal Services	18,282,033	18,282,033
Other Operating Expense	939,152	939,152

FOR THE DEPARTMENT OF ADMINISTRATION**DEPARTMENT OF CORRECTION OMBUDSMAN BUREAU**

Personal Services	133,115	133,115
Other Operating Expense	69,323	69,323

B. LAW ENFORCEMENT**FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION**

154,406,570	154,406,570
Motor Carrier Regulation Fund (IC 8-2.1-23)	
5,041,673	5,041,673
Augmentation allowed from the motor carrier regulation fund.	

The amounts specified from the General Fund and the Motor Carrier Regulation Fund are for the following purposes:

Personal Services	140,740,927	140,740,927
Other Operating Expense	18,707,316	18,707,316

The above appropriations include funds for the state police minority recruiting program.

The above appropriations for the Indiana state police and motor carrier inspection include funds for the police security detail to be provided to the Indiana state fair board. However, amounts actually expended to provide security for the Indiana state fair board as determined by the budget agency shall be reimbursed by the Indiana state fair board to the state general fund.

ISP OPEB CONTRIBUTION

Total Operating Expense	5,964,305	6,006,409
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INDIANA INTELLIGENCE FUSION CENTER

Total Operating Expense	1,246,649	1,246,649
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FORENSIC AND HEALTH SCIENCES LABORATORIES

12,522,368	12,522,368
Motor Carrier Regulation Fund (IC 8-2.1-23)	
464,960	464,960
Augmentation allowed from the motor carrier regulation fund.	

The amounts specified from the Motor Carrier Regulation Fund and the General Fund are for the following purposes:

Personal Services	12,707,328	12,707,328
Other Operating Expense	280,000	280,000

ENFORCEMENT AID

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1	Total Operating Expense	59,791	59,791
2			
3	The above appropriations for enforcement aid are to meet unforeseen emergencies		
4	of a confidential nature. They are to be expended under the direction of the superintendent		
5	and to be accounted for solely on the superintendent's authority.		
6			
7	RETIREMENT PENSION FUND		
8	Total Operating Expense	25,255,100	25,255,100
9			
10	The above appropriations shall be paid into the state police pension fund provided		
11	for in IC 10-12-2 in twelve (12) equal installments on or before July 30 and on		
12	or before the 30th of each succeeding month thereafter.		
13			
14	If the amount actually required under IC 10-12-2 is greater than the above appropriations,		
15	then, with the approval of the governor and the budget agency, those sums may be		
16	augmented from the general fund.		
17			
18	BENEFIT TRUST FUND		
19	Total Operating Expense	6,000,000	6,000,000
20			
21	All benefits to members shall be paid by warrant drawn on the treasurer of state		
22	by the auditor of state on the basis of claims filed and approved by the trustees		
23	of the state police pension and benefit funds created by IC 10-12-2.		
24			
25	If the amount actually required under IC 10-12-2 is greater than the above appropriations,		
26	then, with the approval of the governor and the budget agency, those sums may be		
27	augmented from the general fund.		
28			
29	PRE-1987 RETIREMENT		
30	Total Operating Expense	5,450,000	5,450,000
31			
32	If the amount actually required under IC 10-12-5 is greater than the above		
33	appropriations, then, with the approval of the governor and the budget agency,		
34	those sums may be augmented from the general fund.		
35			
36	BODY CAMERAS		
37	Total Operating Expense	1	1
38	Augmentation allowed.		
39	ACCIDENT REPORTING		
40	Accident Report Account (IC 9-26-9-3)		
41	Total Operating Expense	4,122	4,122
42	Augmentation allowed.		
43	DRUG INTERDICTION		
44	Drug Interdiction Fund (IC 10-11-7)		
45	Total Operating Expense	202,249	202,249
46	Augmentation allowed.		
47	DNA SAMPLE PROCESSING		
48	DNA Sample Processing (IC 10-13-6-9.5)		
49	Total Operating Expense	1,776,907	1,776,907

Augmentation allowed.

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Appropriation**ALCOHOL AND DRUG COUNTERMEASURES****Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)****Total Operating Expense 335,000 335,000****Augmentation allowed.****STATE DRUG FREE COMMUNITIES****State Drug Free Communities Fund (IC 5-2-10-2)****Total Operating Expense 323,125 323,125****Augmentation allowed.****INDIANA SAFE SCHOOLS****Total Operating Expense 1,313,059 1,313,059****Indiana Safe Schools Fund (IC 5-2-10.1-2)****Total Operating Expense 300,000 300,000****Augmentation allowed from Indiana Safe Schools Fund.**

The above appropriations for the Indiana safe schools program are for the purpose of providing grants to school corporations and charter schools for school safe haven programs, emergency preparedness programs, and school safety programs. The criminal justice institute shall transfer \$750,000 each fiscal year to the department of education to provide training to school safety specialists.

INDIANA GUN CRIMES TASK FORCE**Total Operating Expense 5,000,000 5,000,000****BODY CAMERA GRANTS****Total Operating Expense 10,000,000**

The above appropriation is for the purpose of providing grants to city, town, and county law enforcement agencies for the acquisition of body cameras. Law enforcement agencies that have previously purchased or deployed body cameras to the agency's law enforcement officers are not eligible to receive grants. Grant proceeds may only be used for the purchase of body cameras and may not be used to purchase video storage equipment or services. Eligible law enforcement agencies may apply for grants in accordance with procedures established by the criminal justice institute.

OFFICE OF TRAFFIC SAFETY**Total Operating Expense 507,633 507,633**

The above appropriation for the office of traffic safety may be used to cover the state match requirement for this program according to the current highway safety plan approved by the governor and the budget agency.

SEXUAL ASSAULT VICTIMS' ASSISTANCE**Total Operating Expense 1,501,708 1,501,708****VICTIMS OF VIOLENT CRIME ADMINISTRATION****Total Operating Expense 3,636,841 3,636,841****Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)****Total Operating Expense 2,550,844 2,550,844****Augmentation allowed from the violent crime victims compensation fund.**

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If appropriations are insufficient to pay eligible claims, the budget agency may augment from the general fund.

DOMESTIC VIOLENCE PREVENTION AND TREATMENT

Total Operating Expense	5,000,000	5,000,000
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Domestic Violence Prevention and Treatment Fund (IC 5-2-6.7-4)

Total Operating Expense	1,226,800	1,226,800
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Augmentation allowed from domestic violence prevention and treatment fund.

The above appropriations are for programs for the prevention of domestic violence. The appropriations may not be used to construct a shelter.

FOR THE DEPARTMENT OF TOXICOLOGY

Total Operating Expense	2,249,632	2,249,632
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BREATH TEST TRAINING AND CERTIFICATION**Breath Test Training and Certification Fund (IC 10-20-2-9)**

Total Operating Expense	355,000	355,000
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Augmentation allowed from the Breath Test Training and Certification Fund.

FOR THE CORONERS TRAINING BOARD**Coroners Training and Continuing Education Fund (IC 4-23-6.5-8)**

Total Operating Expense	400,000	400,000
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Augmentation allowed.

The state department of health shall administer the coroners training board fund.

FOR THE LAW ENFORCEMENT TRAINING ACADEMY

2,287,272	2,287,272
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Law Enforcement Academy Fund (IC 5-2-1-13)

2,584,810	2,622,760
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Augmentation allowed from the Law Enforcement Academy Fund.

The amounts specified from the General Fund and the Law Enforcement Academy Fund are for the following purposes:

Total Operating Expense	4,872,082	4,910,032
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C. REGULATORY AND LICENSING**FOR THE BUREAU OF MOTOR VEHICLES**

Personal Services	15,780,460	15,780,460
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Other Operating Expense	10,529,389	10,529,389
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FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION**Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)**

Total Operating Expense	6,436,521	6,608,981
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Augmentation allowed.

MOTORCYCLE OPERATOR SAFETY

Motorcycle Operator Safety Education Fund (IC 9-27-7-7)

		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	1,430,622	1,411,122	
2	Augmentation allowed.			
3	LICENSE BRANCHES			
4	Bureau of Motor Vehicles Commission Fund (IC 9-14-14-1)			
5	Total Operating Expense	106,681,667	106,681,667	
6	Augmentation allowed.			
7				
8	FOR THE DEPARTMENT OF LABOR			
9	Personal Services	651,148	651,148	
10	Other Operating Expense	52,037	52,037	
11	BUREAU OF MINES AND SAFETY			
12	Total Operating Expense	156,517	156,517	
13	QUALITY, METRICS, AND STATISTICS (M.I.S.)			
14	Total Operating Expense	151,682	151,682	
15	OCCUPATIONAL SAFETY AND HEALTH			
16	Total Operating Expense	2,269,118	2,269,118	
17				
18	The above appropriations for occupational safety and health and M.I.S. research			
19	and statistics reflect only the general fund portion of the total program costs of			
20	the Indiana occupational safety and health plan as approved by the U.S. Department			
21	of Labor. It is the intent of the general assembly that the Indiana department			
22	of labor apply to the federal government for the federal share of the total program			
23	costs.			
24				
25	EMPLOYMENT OF YOUTH			
26	Labor Education and Youth Employment Fund (IC 22-2-18.1-32)			
27	Total Operating Expense	532,110	532,110	
28	Augmentation allowed.			
29	INSAFE			
30	Special Fund for Safety and Health Consultation Services (IC 22-8-1.1-48)			
31	Total Operating Expense	380,873	380,873	
32	Augmentation allowed.			
33				
34	FOR THE DEPARTMENT OF INSURANCE			
35	Department of Insurance Fund (IC 27-1-3-28)			
36	Personal Services	6,191,755	6,191,755	
37	Other Operating Expense	1,199,878	1,199,878	
38	Augmentation allowed.			
39	BAIL BOND DIVISION			
40	Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)			
41	Total Operating Expense	66,465	66,465	
42	Augmentation allowed.			
43	PATIENT'S COMPENSATION AUTHORITY			
44	Patient's Compensation Fund (IC 34-18-6-1)			
45	Total Operating Expense	4,149,289	4,149,289	
46	Augmentation allowed.			
47	POLITICAL SUBDIVISION RISK MANAGEMENT			
48	Political Subdivision Risk Management Fund (IC 27-1-29-10)			
49	Other Operating Expense	133,108	133,108	

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1	Augmentation allowed.		
2	MINE SUBSIDENCE INSURANCE		
3	Mine Subsidence Insurance Fund (IC 27-7-9-7)		
4	Total Operating Expense	2,400,000	2,400,000
5	Augmentation allowed.		
6	TITLE INSURANCE ENFORCEMENT OPERATING		
7	Title Insurance Enforcement Fund (IC 27-7-3.6-1)		
8	Total Operating Expense	902,940	902,940
9	Augmentation allowed.		
10			
11	FOR THE ALCOHOL AND TOBACCO COMMISSION		
12	Enforcement and Administration Fund (IC 7.1-4-10-1)		
13	Personal Services	10,854,298	10,854,298
14	Other Operating Expense	1,645,458	1,645,458
15	Augmentation allowed.		
16	YOUTH TOBACCO EDUCATION AND ENFORCEMENT		
17	Richard D. Doyle Youth Tobacco Education and Enforcement Fund (IC 7.1-6-2-6)		
18	Total Operating Expense	72,849	72,849
19	Augmentation allowed.		
20	ATC OPEB CONTRIBUTION		
21	Enforcement and Administration Fund (IC 7.1-4-10-1)		
22	Total Operating Expense	638,532	658,617
23	Augmentation allowed.		
24			
25	FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS		
26	Financial Institutions Fund (IC 28-11-2-9)		
27	Personal Services	7,384,743	7,384,743
28	Other Operating Expense	1,943,928	1,943,928
29	Augmentation allowed.		
30			
31	FOR THE PROFESSIONAL LICENSING AGENCY		
32	Personal Services	4,216,420	4,216,420
33	Other Operating Expense	306,062	306,062
34	CONTROLLED SUBSTANCES DATA FUND (INSPECT)		
35	Controlled Substances Data Fund (IC 25-26-24-23)		
36	Total Operating Expense	1,459,572	1,459,572
37	Augmentation allowed.		
38	PRENEED CONSUMER PROTECTION		
39	Preneed Consumer Protection Fund (IC 30-2-13-28)		
40	Total Operating Expense	67,000	67,000
41	Augmentation allowed.		
42	BOARD OF FUNERAL AND CEMETERY SERVICE		
43	Funeral Service Education Fund (IC 25-15-9-13)		
44	Total Operating Expense	250	250
45	Augmentation allowed.		
46	DENTAL PROFESSION INVESTIGATION		
47	Dental Compliance Fund (IC 25-14-1-3.7)		
48	Total Operating Expense	100,605	100,605
49	Augmentation allowed.		

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Appropriation**PHYSICIAN INVESTIGATION****Physician Compliance Fund (IC 25-22.5-2-8)****Total Operating Expense 7,586 7,586****Augmentation allowed.****FOR THE CIVIL RIGHTS COMMISSION****Personal Services 1,539,033 1,539,033****Other Operating Expense 276,044 276,044**

The above appropriation for the Indiana civil rights commission reflects only the general fund portion of the total program costs for the processing of employment and housing discrimination complaints. It is the intent of the general assembly that the commission shall apply to the federal government for funding based upon the processing of employment and housing discrimination complaints.

COMMISSION FOR WOMEN**Total Operating Expense 98,115 98,115****COMMISSION ON THE SOCIAL STATUS OF BLACK MALES****Total Operating Expense 135,431 135,431****NATIVE AMERICAN INDIAN AFFAIRS COMMISSION****Total Operating Expense 74,379 74,379****COMMISSION ON HISPANIC/LATINO AFFAIRS****Total Operating Expense 102,432 102,432****DR. MARTIN LUTHER KING JR. HOLIDAY COMMISSION****Total Operating Expense 19,400 19,400****FOR THE UTILITY CONSUMER COUNSELOR****Public Utility Fund (IC 8-1-6-1)****Personal Services 6,135,835 6,135,835****Other Operating Expense 771,825 771,825****Augmentation allowed.****EXPERT WITNESS FEES AND AUDIT****Public Utility Fund (IC 8-1-6-1)****Total Operating Expense 787,998 787,998****Augmentation allowed.****FOR THE UTILITY REGULATORY COMMISSION****Public Utility Fund (IC 8-1-6-1)****Personal Services 6,739,751 6,739,751****Other Operating Expense 2,172,236 2,172,236****Augmentation allowed.****FOR THE WORKER'S COMPENSATION BOARD****Total Operating Expense 1,835,964 1,835,964****Workers' Compensation Supplemental Administration Fund (IC 22-3-5-6)****Total Operating Expense 409,155 409,155****Augmentation allowed from the worker's compensation supplemental administrative fund.**

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Appropriation**FOR THE STATE BOARD OF ANIMAL HEALTH**

Personal Services	4,626,244	4,626,244
Other Operating Expense	518,500	518,500

INDEMNITY FUND

Total Operating Expense	42,500	42,500
Augmentation allowed.		

MEAT & POULTRY

Total Operating Expense	1,965,106	1,965,106
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CAPTIVE CERVIDAE PROGRAMS

Captive Cervidae Programs Fund (IC 15-17-14.7-16)

Total Operating Expense	40,000	40,000
Augmentation allowed.		

FOR THE DEPARTMENT OF HOMELAND SECURITY

Fire and Building Services Fund (IC 22-12-6-1)

Personal Services	11,411,500	11,691,962
Other Operating Expense	2,587,891	2,708,591
Augmentation allowed.		

REGIONAL PUBLIC SAFETY TRAINING

Regional Public Safety Training Fund (IC 10-15-3-12)

Total Operating Expense	1,936,185	1,936,185
Augmentation allowed.		

RADIOLOGICAL HEALTH

Total Operating Expense	63,023	63,023
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INDIANA SECURED SCHOOL SAFETY

Total Operating Expense	19,010,000	19,010,000
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The above appropriations include funds to provide grants for the provision of school based mental health services and social emotional wellness services to students in K-12 schools. From the above appropriations, the department shall make \$500,000 available each fiscal year to accredited nonpublic schools that apply for grants for the purchase of security equipment or other security upgrades. The department shall prioritize grants to nonpublic schools that demonstrate a heightened risk of security threats.

EMERGENCY MANAGEMENT CONTINGENCY FUND

Total Operating Expense	97,288	97,288
Augmentation allowed.		

The above appropriations for the emergency management contingency fund are made under IC 10-14-3-28.

PUBLIC ASSISTANCE

Total Operating Expense	1	1
Augmentation allowed.		

INDIANA EMERGENCY RESPONSE COMMISSION

Total Operating Expense	48,579	48,579
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Local Emergency Planning and Right to Know Fund (IC 13-25-2-10.5)

Total Operating Expense	63,251	63,251
Augmentation allowed.		

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Appropriation**STATE DISASTER RELIEF****State Disaster Relief Fund (IC 10-14-4-5)****Total Operating Expense 149,784 149,784****Augmentation allowed.****FIRE PREVENTION AND PUBLIC SAFETY****Fire Prevention and Public Safety Fund (IC 22-14-7-27)****Total Operating Expense 32,000 32,000****Augmentation allowed.**

Any remaining balance in the reduced ignition propensity standards for cigarettes fund before its repeal shall be transferred to the fire prevention and public safety fund.

STATEWIDE FIRE AND BUILDING SAFETY EDUCATION FUND**Statewide Fire and Building Safety Education Fund (IC 22-12-6-3)****Total Operating Expense 102,815 102,815****Augmentation allowed.****SECTION 5. [EFFECTIVE JULY 1, 2021]****CONSERVATION AND ENVIRONMENT****A. NATURAL RESOURCES****FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION****Personal Services 9,090,851 9,090,851****Other Operating Expense 1,926,025 1,926,025****DNR OPEB CONTRIBUTION****Total Operating Expense 2,399,766 2,454,372****ENTOMOLOGY AND PLANT PATHOLOGY DIVISION****Total Operating Expense 794,022 794,022****Entomology and Plant Pathology Fund (IC 14-24-10-3)****Total Operating Expense 302,415 302,415****DNR ENGINEERING DIVISION****Personal Services 1,749,853 1,749,853****Other Operating Expense 348,650 348,650****DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY****Total Operating Expense 916,191 916,191****WABASH RIVER HERITAGE CORRIDOR****Wabash River Heritage Corridor Fund (IC 14-13-6-23)****Total Operating Expense 159,128 159,128****NATURE PRESERVES DIVISION****Other Operating Expense 351,488 351,488****WATER DIVISION****Personal Services 4,152,675 4,152,675****Other Operating Expense 500,001 500,001**

All revenues accruing from state and local units of government and from private utilities and industrial concerns as a result of water resources study projects, and as a result of topographic and other mapping projects, shall be deposited into

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the state general fund, in addition to the above appropriations, for water resources studies. The above appropriations include \$200,000 each fiscal year for the monitoring of water resources.

DEER RESEARCH AND MANAGEMENT**Deer Research and Management Fund (IC 14-22-5-2)**

Total Operating Expense	90,180	90,180
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Augmentation allowed.

OIL AND GAS DIVISION**Oil and Gas Fund (IC 6-8-1-27)**

Personal Services	1,054,473	1,054,473
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Other Operating Expense	302,192	302,192
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Augmentation allowed.

STATE PARKS AND RESERVOIRS

3,590,713	3,590,713
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State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)

35,210,802	35,210,802
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Augmentation allowed from the State Parks and Reservoirs Special Revenue Fund.

The amounts specified from the General Fund and the State Parks and Reservoirs Special Revenue Fund are for the following purposes:

Personal Services	25,623,759	25,623,759
--------------------------	-------------------	-------------------

Other Operating Expense	13,177,756	13,177,756
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SNOWMOBILE FUND**Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)**

Total Operating Expense	78,209	78,209
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Augmentation allowed.

DNR LAW ENFORCEMENT DIVISION

13,108,321	13,108,321
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Fish and Wildlife Fund (IC 14-22-3-2)

10,831,730	10,831,730
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Augmentation allowed from the Fish and Wildlife Fund.

The amounts specified from the General Fund and the Fish and Wildlife Fund are for the following purposes:

Personal Services	20,671,551	20,671,551
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Other Operating Expense	3,268,500	3,268,500
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SPORTSMEN'S BENEVOLENCE

Total Operating Expense	145,500	145,500
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FISH AND WILDLIFE DIVISION**Fish and Wildlife Fund (IC 14-22-3-2)**

Personal Services	5,239,323	5,239,323
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Other Operating Expense	4,302,011	4,302,011
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Augmentation allowed.

FORESTRY DIVISION

FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation

1	5,831,218	5,831,218
2	State Forestry Fund (IC 14-23-3-2)	
3	3,643,741	3,643,741
4	Augmentation allowed from the State Forestry Fund.	

5
6 The amounts specified from the General Fund and the State Forestry Fund are for
7 the following purposes:

8			
9	Personal Services	7,184,827	7,184,827
10	Other Operating Expense	2,290,132	2,290,132
11			

12 In addition to any of the above appropriations for the department of natural resources,
13 any federal funds received by the state of Indiana for support of approved outdoor
14 recreation projects for planning, acquisition, and development under the provisions
15 of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated
16 for the uses and purposes for which the funds were paid to the state, and shall
17 be distributed by the department of natural resources to state agencies and other
18 governmental units in accordance with the provisions under which the funds were
19 received.

20
21 **LAKE MICHIGAN COASTAL PROGRAM MATCH**

22 Cigarette Tax Fund (IC 6-7-1-28.1)

23	Total Operating Expense	117,313	117,313
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24 Augmentation allowed.

25 **LAKE AND RIVER ENHANCEMENT**

26 Lake and River Enhancement Fund (IC 14-22-3.5-1)

27	Total Operating Expense	2,046,309	2,046,309
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28 Augmentation allowed.

29 **HERITAGE TRUST**

30	Total Operating Expense	94,090	94,090
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31 Benjamin Harrison Conservation Trust Fund (IC 14-12-2-25)

32	Total Operating Expense	811,750	811,750
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33 Augmentation allowed.

34 **INSTITUTIONAL ROAD CONSTRUCTION**

35 State Highway Fund (IC 8-23-9-54)

36	Total Operating Expense	2,425,000	2,425,000
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37
38 The above appropriations for institutional road construction may be used for
39 road and bridge construction, relocation, and other related improvement projects
40 at state owned properties managed by the department of natural resources.

41
42 **B. OTHER NATURAL RESOURCES**

43
44 **FOR THE INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION**

45	Total Operating Expense	7,928,155	7,928,155
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46
47 In lieu of billing the University of Southern Indiana, the above appropriations
48 include \$25,000 each fiscal year for the purpose of maintaining historic properties
49 in New Harmony.

FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation**FOR THE WAR MEMORIALS COMMISSION**

Personal Services	935,203	935,203
Other Operating Expense	453,615	453,615

All revenues received as rent for space in the buildings located at 777 North Meridian Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed the costs of operation and maintenance of the space rented, shall be deposited into the general fund.

FOR THE WHITE RIVER STATE PARK DEVELOPMENT COMMISSION

Total Operating Expense	848,506	848,506
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FOR THE MAUMEE RIVER BASIN COMMISSION

Total Operating Expense	101,850	101,850
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FOR THE ST. JOSEPH RIVER BASIN COMMISSION

Total Operating Expense	104,974	104,974
-------------------------	---------	---------

FOR THE KANKAKEE RIVER BASIN COMMISSION

Total Operating Expense	71,614	71,614
-------------------------	--------	--------

C. ENVIRONMENTAL MANAGEMENT**FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT****OPERATING**

Personal Services	8,379,269	8,379,269
Other Operating Expense	4,851,426	4,851,426

OFFICE OF ENVIRONMENTAL RESPONSE

Personal Services	2,109,416	2,109,416
Other Operating Expense	280,000	280,000

POLLUTION PREVENTION AND TECHNICAL ASSISTANCE

Personal Services	599,439	599,439
Other Operating Expense	70,000	70,000

RIVERSIDE CLEAN-UP

Total Operating Expense	1,950,000	1,950,000
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STATE SOLID WASTE GRANTS MANAGEMENT**State Solid Waste Management Fund (IC 13-20-22-2)**

Total Operating Expense	3,649,940	3,649,940
-------------------------	-----------	-----------

Augmentation allowed.

RECYCLING PROMOTION AND ASSISTANCE PROGRAM**Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)**

Total Operating Expense	2,225,116	2,225,116
-------------------------	-----------	-----------

Augmentation allowed.

VOLUNTARY CLEAN-UP PROGRAM**Voluntary Remediation Fund (IC 13-25-5-21)**

Personal Services	1,076,668	1,076,668
Other Operating Expense	90,000	90,000

Augmentation allowed.

FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation**TITLE V AIR PERMIT PROGRAM****Title V Operating Permit Program Trust Fund (IC 13-17-8-1)**

Personal Services 10,842,859 10,842,859

Other Operating Expense 725,000 725,000

Augmentation allowed.

WATER MANAGEMENT PERMITTING**Environmental Management Permit Operation Fund (IC 13-15-11-1)**

Personal Services 6,030,674 6,030,674

Other Operating Expense 1,769,000 1,769,000

Augmentation allowed.

SOLID WASTE MANAGEMENT PERMITTING**Environmental Management Permit Operation Fund (IC 13-15-11-1)**

Personal Services 3,315,656 3,315,656

Other Operating Expense 963,000 963,000

Augmentation allowed.

CFO/CAFO INSPECTIONS

Total Operating Expense 812,248 812,248

HAZARDOUS WASTE MANAGEMENT PERMITTING**Environmental Management Permit Operation Fund (IC 13-15-11-1)**

Personal Services 2,382,577 2,382,577

Other Operating Expense 339,000 339,000

Augmentation allowed.

Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

Total Operating Expense 1,500,000 1,500,000

ELECTRONIC WASTE**Electronic Waste Fund (IC 13-20.5-2-3)**

Total Operating Expense 213,685 213,685

Augmentation allowed.

AUTO EMISSIONS TESTING PROGRAM

Total Operating Expense 5,087,133 5,087,133

The above appropriations for auto emissions testing are the maximum amounts available for this purpose. If it becomes necessary to conduct additional tests in other locations, the above appropriations shall be prorated among all locations.

HAZARDOUS WASTE SITES - STATE CLEAN-UP**Hazardous Substances Response Trust Fund (IC 13-25-4-1)**

Total Operating Expense 3,486,973 3,486,973

Augmentation allowed.

HAZARDOUS WASTE - NATURAL RESOURCE DAMAGES**Hazardous Substances Response Trust Fund (IC 13-25-4-1)**

Total Operating Expense 237,215 237,215

Augmentation allowed.

SUPERFUND MATCH**Hazardous Substances Response Trust Fund (IC 13-25-4-1)**

Total Operating Expense 1,500,000 1,500,000

Augmentation allowed.

ASBESTOS TRUST - OPERATING**Asbestos Trust Fund (IC 13-17-6-3)**

FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation

1	Total Operating Expense	567,086	567,086
2	Augmentation allowed.		
3	UNDERGROUND PETROLEUM STORAGE TANK - OPERATING		
4	Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
5	Personal Services	3,399,496	3,399,496
6	Other Operating Expense	33,861,114	33,861,114
7	Augmentation allowed.		
8	WASTE TIRE MANAGEMENT		
9	Waste Tire Management Fund (IC 13-20-13-8)		
10	Total Operating Expense	1,508,758	1,508,758
11	Augmentation allowed.		
12	VOLUNTARY COMPLIANCE		
13	Environmental Management Special Fund (IC 13-14-12-1)		
14	Total Operating Expense	529,126	529,126
15	Augmentation allowed.		
16	PETROLEUM TRUST - OPERATING		
17	Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
18	Total Operating Expense	1,110,000	1,110,000
19	Augmentation allowed.		
20			
21	Notwithstanding any other law, with the approval of the governor and the budget		
22	agency, the above appropriations for hazardous waste management permitting,		
23	wetlands protection, groundwater program, underground storage tank program,		
24	air management operating, asbestos trust operating, water management nonpermitting,		
25	safe drinking water program, and any other appropriation eligible to be included in a		
26	performance partnership grant may be used to fund activities incorporated into a		
27	performance partnership grant between the United States Environmental Protection		
28	Agency and the department of environmental management.		
29			
30	FOR THE OFFICE OF ENVIRONMENTAL ADJUDICATION		
31	Personal Services	319,652	319,652
32	Other Operating Expense	20,007	20,007
33			
34	SECTION 6. [EFFECTIVE JULY 1, 2021]		
35			
36	ECONOMIC DEVELOPMENT		
37			
38	A. AGRICULTURE		
39			
40	FOR THE DEPARTMENT OF AGRICULTURE		
41	Personal Services	1,302,532	1,302,532
42	Other Operating Expense	575,989	575,989
43			
44	The above appropriations include \$5,000 each fiscal year to purchase plaques for		
45	the recipients of the Hoosier Homestead award.		
46			
47	DISTRIBUTIONS TO FOOD BANKS		
48	Total Operating Expense	300,000	300,000
49	CLEAN WATER INDIANA		

		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	824,500	824,500	
2	Cigarette Tax Fund (IC 6-7-1-28.1)			
3	Total Operating Expense	2,519,014	2,519,014	
4	SOIL CONSERVATION DIVISION			
5	Cigarette Tax Fund (IC 6-7-1-28.1)			
6	Total Operating Expense	1,205,700	1,205,700	
7	Augmentation allowed.			
8	GRAIN BUYERS AND WAREHOUSE LICENSING			
9	Grain Buyers and Warehouse Licensing Agency License Fee Fund (IC 26-3-7-6.3)			
10	Total Operating Expense	598,090	598,090	
11	Augmentation allowed.			
12				
13	B. COMMERCE			
14				
15	FOR THE LIEUTENANT GOVERNOR			
16	INDIANA DESTINATION DEVELOPMENT CORP.			
17	Total Operating Expense	5,697,925	5,697,925	
18				
19	The above appropriation includes \$500,000 annually to assist the department of			
20	natural resources with marketing efforts.			
21				
22	Of the above appropriations, the office of tourism development shall distribute up to			
23	\$550,000 each year to the Indiana sports corporation to promote the hosting of amateur			
24	sporting events in Indiana cities. Funds may be released after review by the budget			
25	committee.			
26				
27	The office may retain any advertising revenue generated by the office. Any revenue			
28	received is in addition to the above appropriations and is appropriated for the			
29	purposes of the office.			
30				
31	The above appropriations include up to \$75,000 each state fiscal year for the Grissom			
32	Air Museum and up to \$50,000 for the Studebaker Museum. The Studebaker Museum distribution			
33	requires a \$50,000 match. Of the above appropriations, up to \$500,000 each year			
34	may be used to pay costs associated with hosting the national convention for FFA.			
35				
36	OFFICE OF COMMUNITY AND RURAL AFFAIRS			
37	Total Operating Expense	1,245,820	1,245,820	
38	HISTORIC PRESERVATION GRANTS			
39	Total Operating Expense	661,777	661,777	
40	LINCOLN PRODUCTION			
41	Total Operating Expense	164,493	164,493	
42	INDIANA GROWN			
43	Total Operating Expense	206,230	206,230	
44	RURAL ECONOMIC DEVELOPMENT			
45	Total Operating Expense	496,712	496,712	
46				
47	FOR THE OFFICE OF ENERGY DEVELOPMENT			
48	Total Operating Expense	199,843	199,843	
49				

FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation

FOR THE INDIANA ECONOMIC DEVELOPMENT CORPORATION
ADMINISTRATIVE AND FINANCIAL SERVICES

Total Operating Expense 7,694,904 7,694,904

Skills Enhancement Fund (IC 5-28-7-5)

Total Operating Expense 180,061 180,061

Industrial Development Grant Fund (IC 5-28-25-4)

Total Operating Expense 50,570 50,570

INDIANA 21ST CENTURY RESEARCH AND TECHNOLOGY FUND

Total Operating Expense 27,750,000 27,750,000

SKILLS ENHANCEMENT FUND

Total Operating Expense 11,500,000 11,500,000

OFFICE OF SMALL BUSINESS AND ENTREPRENEURSHIP

Total Operating Expense 1,183,000 1,183,000

INDIANA OFFICE OF DEFENSE DEVELOPMENT

Total Operating Expense 523,627 523,627

CAREER CONNECTIONS AND TALENT

Personal Services 595,197 595,197

Other Operating Expense 79,235 79,235

BUSINESS PROMOTION AND INNOVATION

Total Operating Expense 17,000,000 17,000,000

The above appropriations may be used by the Indiana Economic Development Corporation to promote business investment and encourage entrepreneurship and innovation. The corporation may use the above appropriations to advance innovation and entrepreneurship education through strategic partnerships with higher education institutions and communities, provide innovation vouchers to small Hoosier businesses, establish a pilot project for income sharing agreements, support efforts to attract amateur sporting events, including contributions to bid funds, promote and enhance the motor sports industry in Indiana, and support activities that promote international trade.

INDUSTRIAL DEVELOPMENT GRANT PROGRAM

Total Operating Expense 4,850,000 4,850,000

NEXT LEVEL REGIONAL RECOVERY GRANTS

Total Operating Expense 150,000,000

MANUFACTURING READINESS GRANTS

Total Operating Expense 5,000,000 5,000,000

NEXT LEVEL FLIGHTS

Total Operating Expense 10,000,000

Of the above appropriation for next level flights, the Indiana economic development corporation may award up three million dollars (\$3,000,000) to the Fort Wayne International Airport for a gate expansion project.

ECONOMIC DEVELOPMENT FUND

Total Operating Expense 947,344 947,344

FOR THE HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY

HOUSING FIRST PROGRAM

Total Operating Expense 890,027 890,027

FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation**INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS**

Total Operating Expense	609,945	609,945
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The housing and community development authority shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The division of family resources shall apply all qualifying expenditures for individual development account deposits toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

FOR THE INDIANA FINANCE AUTHORITY**ENVIRONMENTAL REMEDIATION REVOLVING LOAN PROGRAM****Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)**

Total Operating Expense	2,500,000	2,500,000
--------------------------------	------------------	------------------

C. EMPLOYMENT SERVICES**FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT****ADMINISTRATION**

Total Operating Expense	1,138,715	1,138,715
--------------------------------	------------------	------------------

PROPRIETARY EDUCATIONAL INSTITUTIONS

Total Operating Expense	53,243	53,243
--------------------------------	---------------	---------------

NEXT LEVEL JOBS EMPLOYER TRAINING GRANT PROGRAM

Total Operating Expense	17,064,066	17,064,066
--------------------------------	-------------------	-------------------

INDIANA CONSTRUCTION ROUNDTABLE FOUNDATION

Total Operating Expense	850,000	850,000
--------------------------------	----------------	----------------

WORKFORCE READY GRANTS

Total Operating Expense	3,000,000	3,000,000
--------------------------------	------------------	------------------

DROPOUT PREVENTION

Total Operating Expense	6,800,000	6,800,000
--------------------------------	------------------	------------------

ADULT EDUCATION DISTRIBUTION

Total Operating Expense	12,985,041	12,985,041
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It is the intent of the 2021 general assembly that the above appropriations for adult education shall be the total allowable state expenditure for such program. If disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of workforce development shall reduce the distributions proportionately.

SERVE INDIANA ADMINISTRATION

Total Operating Expense	239,560	239,560
--------------------------------	----------------	----------------

FOR THE WORKFORCE CABINET

Total Operating Expense	500,000	500,000
--------------------------------	----------------	----------------

WORKFORCE DIPLOMA REIMBURSEMENT PROGRAM

Total Operating Expense	1,000,000	1,000,000
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PERKINS STATE MATCH

Total Operating Expense	494,000	494,000
--------------------------------	----------------	----------------

FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation**PROMOTED INDUSTRY CERTIFICATION EXAMS**

Total Operating Expense	600,000	600,000	
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The above appropriations for certifications are to provide funding for students of accredited public and nonpublic schools to take exams required to earn certifications on Indiana's promoted industry certification list.

D. OTHER ECONOMIC DEVELOPMENT**FOR THE INDIANA STATE FAIR BOARD**

Total Operating Expense	2,128,859	2,128,859	
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SECTION 7. [EFFECTIVE JULY 1, 2021]**TRANSPORTATION****FOR THE DEPARTMENT OF TRANSPORTATION****RAILROAD GRADE CROSSING IMPROVEMENT****Motor Vehicle Highway Account (IC 8-14-1)**

Total Operating Expense	750,000	750,000	
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PUBLIC MASS TRANSPORTATION

Other Operating Expense	45,000,000	45,000,000	
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The above appropriations for public mass transportation are to be used solely for the promotion and development of public transportation.

The department of transportation may distribute public mass transportation funds to an eligible grantee that provides public transportation in Indiana.

The state funds can be used to match federal funds available under the Federal Transit Act (49 U.S.C. 5301 et seq.) or local funds from a requesting grantee.

Before funds may be disbursed to a grantee, the grantee must submit its request for financial assistance to the department of transportation for approval. Allocations must be approved by the governor and the budget agency and shall be made on a reimbursement basis. Only applications for capital and operating assistance may be approved. Only those grantees that have met the reporting requirements under IC 8-23-3 are eligible for assistance under this appropriation.

AIRPORT DEVELOPMENT**Airport Development Grant Fund (IC 8-21-11)**

Other Operating Expense	3,600,000	3,600,000	
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Augmentation allowed.**HIGHWAY OPERATING****State Highway Fund (IC 8-23-9-54)**

Personal Services	281,673,026	281,673,026	
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Other Operating Expense	74,645,808	76,511,954	
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Augmentation allowed.

FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation**HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT****State Highway Fund (IC 8-23-9-54)****Other Operating Expense****30,307,124****30,783,714****Augmentation allowed.**

The above appropriations for highway operating and highway vehicle and road maintenance equipment may be used for the cost of providing transportation for the governor.

HIGHWAY MAINTENANCE WORK PROGRAM**State Highway Fund (IC 8-23-9-54)****Other Operating Expense****121,904,082****124,646,972****Augmentation allowed.**

The above appropriations for the highway maintenance work program may be used for:

- (1) materials for patching roadways and shoulders;
- (2) repairing and painting bridges;
- (3) installing signs and signals and painting roadways for traffic control;
- (4) mowing, herbicide application, and brush control;
- (5) drainage control;
- (6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
- (7) materials for snow and ice removal;
- (8) utility costs for roadway lighting; and
- (9) other special maintenance and support activities consistent with the highway maintenance work program.

HIGHWAY CAPITAL IMPROVEMENTS**State Highway Fund (IC 8-23-9-54)****Right-of-Way Expense****50,000,000****50,000,000****Formal Contracts Expense****718,224,085****805,032,075****Consulting Services Expense****100,000,000****100,000,000****Institutional Road Construction****5,000,000****5,000,000****Augmentation allowed for the highway capital improvements program.**

The above appropriations for the capital improvements program may be used for:

- (1) bridge rehabilitation and replacement;
- (2) road construction, reconstruction, or replacement;
- (3) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, rest parks, and weigh stations;
- (4) relocation and modernization of existing roads;
- (5) resurfacing;
- (6) erosion and slide control;
- (7) construction and improvement of railroad grade crossings, including the use of the appropriations to match federal funds for projects;
- (8) small structure replacements;
- (9) safety and spot improvements; and
- (10) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

Subject to approval by the Budget Director, the above appropriation for institutional road construction may be used for road, bridge, and parking lot construction, maintenance, and improvement projects at any state-owned property.

No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

NEXT LEVEL CONNECTIONS

Next Level Connections Fund (IC 8-14-14.3)

Total Operating Expense	214,000,000	205,000,000
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Augmentation allowed

TOLL ROAD COUNTIES STATE HIGHWAY PROGRAM

Toll Road Lease Amendment Proceeds Fund (IC 8-14-14.2)

Total Operating Expense	238,000,000	196,000,000
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Augmentation allowed

HIGHWAY PLANNING AND RESEARCH PROGRAM

State Highway Fund (IC 8-23-9-54)

Total Operating Expense	3,780,000	3,780,000
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Augmentation allowed

STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM

State Highway Road Construction and Improvement Fund (IC 8-14-10-5)

Lease Rental Payments Expense	70,000,000	70,000,000
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Augmentation allowed.

The above appropriations for the state highway road construction and improvement program shall be first used for payment of rentals and leases relating to projects under IC 8-14.5. If any funds remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;
- (3) relocation and modernization of existing roads; and
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

CROSSROADS 2000 PROGRAM

Crossroads 2000 Fund (IC 8-14-10-9)

Lease Rental Payment Expense	38,400,000	38,400,000
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Augmentation allowed.

State Highway Fund (IC 8-23-9-54)

Lease Rental Payment Expense	4,657,882	5,070,335
------------------------------	-----------	-----------

Augmentation allowed.

The above appropriations for the crossroads 2000 program shall be first used for payment of rentals and leases relating to projects under IC 8-14-10-9. If any funds remain, the funds may be used for the following purposes:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, and grade separations;

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(3) relocation and modernization of existing roads; and
(4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

JOINT MAJOR MOVES CONSTRUCTION

Major Moves Construction Fund (IC 8-14-14-5)

Formal Contracts Expense	151,862,686	0
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Augmentation allowed.

FEDERAL APPORTIONMENT

Formal Contracts Expense	1,184,000,000	1,091,666,667
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The department may establish an account to be known as the "local government revolving account". The account is to be used to administer the federal-local highway construction program. All contracts issued and all funds received for federal-local projects under this program shall be entered into this account.

If the federal apportionments for the fiscal years covered by this act exceed the above estimated appropriations for the department or for local governments, the excess federal apportionment is hereby appropriated for use by the department with the approval of the governor and the budget agency.

The department shall bill, in a timely manner, the federal government for all department payments that are eligible for total or partial reimbursement.

The department may let contracts and enter into agreements for construction and preliminary engineering during each year of the 2021-2023 biennium that obligate not more than one-third (1/3) of the amount of state funds estimated by the department to be available for appropriation in the following year for formal contracts and consulting engineers for the capital improvements program.

Under IC 8-23-5-7(a), the department, with the approval of the governor, may construct and maintain roadside parks and highways where highways will connect any state highway now existing, or hereafter constructed, with any state park, state forest preserve, state game preserve, or the grounds of any state institution. There is appropriated to the department of transportation an amount sufficient to carry out the provisions of this paragraph. Under IC 8-23-5-7(d), such appropriations shall be made from the motor vehicle highway account before distribution to local units of government.

LOCAL TECHNICAL ASSISTANCE AND RESEARCH

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	250,000	250,000
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The above appropriation is for developing and maintaining a centralized electronic statewide asset management data base that may be used to aggregate data on local road conditions. The data base shall be developed in cooperation with the department and the office of management and budget per IC 8-14-3-3.

Under IC 8-14-1-3(6), there is appropriated to the department of transportation

an amount sufficient for:

- (1) the program of technical assistance under IC 8-23-2-5(a)(6); and
- (2) the research and highway extension program conducted for local government under IC 8-17-7-4.

The department shall develop an annual program of work for research and extension in cooperation with those units being served, listing the types of research and educational programs to be undertaken. The commissioner of the department of transportation may make a grant under this appropriation to the institution or agency selected to conduct the annual work program. Under IC 8-14-1-3(6), appropriations for the program of technical assistance and for the program of research and extension shall be taken from the local share of the motor vehicle highway account.

Under IC 8-14-1-3(7), there is hereby appropriated such sums as are necessary to maintain a sufficient working balance in accounts established to match federal and local money for highway projects. These funds are appropriated from the following sources in the proportion specified:

- (1) one-half (1/2) from the thirty-eight percent (38%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and
- (2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.

OHIO RIVER BRIDGE

State Highway Fund (IC 8-23-9-54)

Total Operating Expense	500,000	500,000
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SECTION 8. [EFFECTIVE JULY 1, 2021]

FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS

A. FAMILY AND SOCIAL SERVICES

FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION

FAMILY AND SOCIAL SERVICES ADMINISTRATION - CENTRAL OFFICE

Total Operating Expense	13,602,650	13,602,650
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SOCIAL SERVICES DATA WAREHOUSE

Total Operating Expense	38,273	38,273
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211 SERVICES

Total Operating Expense	1,263,519	1,263,519
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INDIANA PRESCRIPTION DRUG PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	443,315	443,315
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CHILDREN'S HEALTH INSURANCE PROGRAM ASSISTANCE

Total Operating Expense	53,670,000	52,170,000
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CHILDREN'S HEALTH INSURANCE PROGRAM ADMINISTRATION

Total Operating Expense	1,403,000	1,403,000
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OMPP STATE PROGRAMS

Total Operating Expense	713,924	713,924
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FY 2021-2022
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Appropriation**MEDICAID ADMINISTRATION**

Total Operating Expense	36,451,919	36,451,919
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MEDICAID ASSISTANCE

Total Operating Expense	2,747,200,000	2,873,000,000
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The above appropriations for Medicaid assistance and for Medicaid administration are for the purpose of enabling the office of Medicaid policy and planning to carry out all services as provided in IC 12-8-6.5. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the office of Medicaid policy and planning for the respective purposes for which the money was allocated and paid to the state. Subject to the provisions of IC 12-8-1.5-11, if the sums herein appropriated for Medicaid assistance and for Medicaid administration are insufficient to enable the office of Medicaid policy and planning to meet its obligations, then there is appropriated from the general fund such further sums as may be necessary for that purpose, subject to the approval of the governor and the budget agency.

HEALTHY INDIANA PLAN**Healthy Indiana Plan Trust Fund (IC 12-15-44.2-17)**

Total Operating Expense	103,034,565	99,134,565
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Augmentation allowed.**MARION COUNTY HEALTH AND HOSPITAL CORPORATION**

Total Operating Expense	32,300,000	32,300,000
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MENTAL HEALTH ADMINISTRATION

Total Operating Expense	2,480,903	2,480,903
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Two hundred seventy-five thousand dollars (\$275,000) of the above appropriation shall be distributed annually to neighborhood based community service programs.

MENTAL HEALTH AND ADDICTION FORENSIC TREATMENT SERVICES GRANT

Total Operating Expense	20,000,000	20,000,000
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The Family and Social Services Administration shall report to the State Budget Committee prior to November 1, 2021, on the mental health and addiction forensic treatment services grant program including the amounts of the awards and grants, the number of recipients receiving services, and the impacts of the program in reducing incarceration and recidivism.

CHILD PSYCHIATRIC SERVICES

Total Operating Expense	13,458,508	13,458,508
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The above appropriation includes \$4,500,000 in both FY 2022 and FY 2023 for the Family and Social Services Administration to contract with no more than three regionally diverse social services providers to implement an evidence-based program that partners with school corporations, charter schools, and accredited nonpublic schools to provide social work services and evidence-based prevention programs to children, parents, caregivers, teachers, and the community to prevent substance abuse, promote healthy behaviors, and maximize student success. In making contracts for FY 2022 and FY

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2023, the Family and Social Services Administration shall require the contracted social services providers to secure matching funds that obligates the state to no more than sixty-five percent (65%) of the total program cost and require the contracted social services providers to have experience in providing similar services including independent evaluation of those services.

CHILD ASSESSMENT NEEDS SURVEY

Total Operating Expense	218,525	218,525
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SERIOUSLY EMOTIONALLY DISTURBED

Total Operating Expense	14,571,352	14,571,352
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SERIOUSLY MENTALLY ILL

Total Operating Expense	85,779,650	85,779,650
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Mental Health Centers Fund (IC 6-7-1-32.1)

Total Operating Expense	2,454,890	2,454,890
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Augmentation allowed.

COMMUNITY MENTAL HEALTH CENTERS**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	7,200,000	7,200,000
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The above appropriation from the Tobacco Master Settlement Agreement Fund is in addition to other funds. The above appropriations for comprehensive community mental health services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid rehabilitation option.

The comprehensive community mental health centers shall submit their proposed annual budgets (including income and operating statements) to the budget agency on or before August 1 of each year. All federal funds shall be used to augment the above appropriations rather than supplant any portion of the appropriation. The office of the secretary, with the approval of the budget agency, shall determine an equitable allocation of the appropriation among the mental health centers.

GAMBLERS' ASSISTANCE**Addiction Services Fund (IC 12-23-2)**

Total Operating Expense	3,047,034	3,047,034
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Augmentation allowed.

SUBSTANCE ABUSE TREATMENT**Addiction Services Fund (IC 12-23-2)**

Total Operating Expense	1,257,131	1,257,131
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QUALITY ASSURANCE/RESEARCH

Total Operating Expense	304,711	304,711
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PREVENTION**Addiction Services Fund (IC 12-23-2)**

Total Operating Expense	1,572,675	1,572,675
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Augmentation allowed.

METHADONE DIVERSION CONTROL AND OVERSIGHT (MDCO) PROGRAM**Opioid Treatment Program Fund (IC 12-23-18-4)**

Total Operating Expense	363,995	363,995
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Augmentation allowed.

DMHA YOUTH TOBACCO REDUCTION SUPPORT PROGRAM

		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)			
2	Total Operating Expense	250,000	250,000	
3	Augmentation allowed.			
4	EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER			
5	Total Operating Expense	1,539,869	1,539,869	
6	Mental Health Fund (IC 12-24-14-4)			
7	Total Operating Expense	2,209,422	2,209,422	
8	Augmentation allowed.			
9	EVANSVILLE STATE HOSPITAL			
10	Total Operating Expense	22,896,280	22,896,280	
11	Mental Health Fund (IC 12-24-14-4)			
12	Total Operating Expense	4,340,134	4,340,134	
13	Augmentation allowed.			
14	LARUE CARTER MEMORIAL HOSPITAL			
15	Total Operating Expense	414,749	414,749	
16	LOGANSPOUT STATE HOSPITAL			
17	Total Operating Expense	31,201,089	31,201,089	
18	Mental Health Fund (IC 12-24-14-4)			
19	Total Operating Expense	1,410,464	1,410,464	
20	Augmentation allowed.			
21	MADISON STATE HOSPITAL			
22	Total Operating Expense	25,147,845	25,147,845	
23	Mental Health Fund (IC 12-24-14-4)			
24	Total Operating Expense	2,796,667	2,796,667	
25	Augmentation allowed.			
26	RICHMOND STATE HOSPITAL			
27	Total Operating Expense	32,969,553	32,969,553	
28	Mental Health Fund (IC 12-24-14-4)			
29	Total Operating Expense	2,062,201	2,062,201	
30	Augmentation allowed.			
31	NEURO DIAGNOSTIC INSTITUTE			
32	Total Operating Expense	30,618,869	30,001,556	
33	Mental Health Fund (IC 12-24-14-4)			
34	Total Operating Expense	4,671,125	5,288,438	
35	Augmentation allowed.			
36				
37	PATIENT PAYROLL			
38	Total Operating Expense	148,533	148,533	
39				
40	The federal share of revenue accruing to the state mental health institutions under			
41	IC 12-15, based on the applicable Federal Medical Assistance Percentage (FMAP),			
42	shall be deposited in the mental health fund established by IC 12-24-14, and the			
43	remainder shall be deposited in the general fund.			
44				
45	DIVISION OF FAMILY RESOURCES ADMINISTRATION			
46	Total Operating Expense	1,994,565	1,994,565	
47	EBT ADMINISTRATION			
48	Total Operating Expense	114,079	114,079	
49	DFR - COUNTY ADMINISTRATION			

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1	Total Operating Expense	85,115,284	84,315,284
2	INDIANA ELIGIBILITY SYSTEM		
3	Total Operating Expense	8,377,529	8,377,529
4	SNAP/IMPACT ADMINISTRATION		
5	Total Operating Expense	9,555,726	9,555,726
6	TEMPORARY ASSISTANCE TO NEEDY FAMILIES – STATE APPROPRIATION		
7	Total Operating Expense	17,886,301	17,886,301
8	BURIAL EXPENSES		
9	Tobacco Master Settlement Fund (IC 4-12-1-14.3)		
10	Total Operating Expense	5,816,761	5,816,761
11	DIVISION OF AGING ADMINISTRATION		
12	Total Operating Expense	751,057	751,057
13	DIVISION OF AGING SERVICES		
14	Total Operating Expense	563,561	563,561
15	ROOM AND BOARD ASSISTANCE (R-CAP)		
16	Total Operating Expense	6,483,801	6,483,801
17	C.H.O.I.C.E. IN-HOME SERVICES		
18	Total Operating Expense	43,914,740	44,240,193
19			
20	The above appropriations for C.H.O.I.C.E. In-Home Services include intragovernmental		
21	transfers to provide the nonfederal share of the Medicaid aged and disabled waiver.		
22			
23	The intragovernmental transfers for use in the Medicaid aged and disabled waiver		
24	may not exceed \$18,000,000 annually.		
25			
26	The division of aging shall conduct an annual evaluation of the cost effectiveness		
27	of providing home and community-based services. Before January of each year, the		
28	division shall submit a report to the budget committee, the budget agency, and the		
29	legislative council (in an electronic format under IC 5-14-6) that covers all aspects		
30	of the division's evaluation and such other information pertaining thereto as may		
31	be requested by the budget committee, the budget agency, or the legislative council,		
32	including the following:		
33	(1) the number and demographic characteristics of the recipients of home and		
34	community-based services during the preceding fiscal year, including a separate		
35	count of individuals who received no services other than case management services		
36	(as defined in 455 IAC 2-4-10) during the preceding fiscal year;		
37	(2) the total cost and per recipient cost of providing home and community-based		
38	services during the preceding fiscal year.		
39			
40	The division shall obtain from providers of services data on their costs and		
41	expenditures regarding implementation of the program and report the findings to		
42	the budget committee, the budget agency, and the legislative council. The report		
43	to the legislative council must be in an electronic format under IC 5-14-6.		
44			
45	STATE SUPPLEMENT TO SSBG - AGING		
46	Total Operating Expense	687,396	687,396
47	OLDER HOOSIERS ACT		
48	Total Operating Expense	1,573,446	1,573,446
49	ADULT PROTECTIVE SERVICES		

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Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense 5,220,823 5,220,823

Augmentation allowed.

The above appropriations may be used for emergency adult protective services placement. Funds shall be used to the extent that such services are not available to an individual through a policy of accident and sickness insurance, a health maintenance organization contract, the Medicaid program, the federal Medicare program, or any other federal program.

ADULT GUARDIANSHIP SERVICES

Total Operating Expense 405,565 405,565

DIVISION OF DISABILITY AND REHABILITATIVE SERVICES ADMINISTRATION

Total Operating Expense 61,775 61,775

BUREAU OF REHABILITATIVE SERVICES

-VOCATIONAL REHABILITATION

Total Operating Expense 16,093,405 16,093,405

INDEPENDENT LIVING

Total Operating Expense 871,926 871,926

The above appropriations include funding to be distributed to the centers for independent living for independent living services.

REHABILITATIVE SERVICES - DEAF AND HARD OF HEARING SERVICES

Total Operating Expense 236,402 236,402

BLIND VENDING - STATE APPROPRIATION

Total Operating Expense 64,295 64,295

QUALITY IMPROVEMENT SERVICES

Total Operating Expense 1,063,857 1,063,857

BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DAY SERVICES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Other Operating Expense 3,418,884 3,418,884

FIRST STEPS

Total Operating Expense 18,000,000 18,000,000

BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - DIAGNOSIS AND EVALUATION

Total Operating Expense 20,000 20,000

BUREAU OF DEVELOPMENTAL DISABILITIES SERVICES - OPERATING

Total Operating Expense 4,945,448 4,945,448

In the development of new community residential settings for persons with developmental disabilities, the division of disability and rehabilitative services must give priority to the appropriate placement of such persons who are eligible for Medicaid and currently residing in intermediate care or skilled nursing facilities and, to the extent permitted by law, such persons who reside with aged parents or guardians or families in crisis.

SCHOOL AGE CHILD CARE PROJECT FUND

Total Operating Expense 812,413 812,413

The above appropriations are made under IC 6-7-1-30.2(c) and not in addition to the

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transfer required by IC 6-7-1-30.2(c).

EARLY CHILDHOOD LEARNING

Total Operating Expense	28,860,246	28,860,246
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PRE-K EDUCATION PILOT

Total Operating Expense	22,005,069	22,005,069
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FOR THE DEPARTMENT OF CHILD SERVICES**CHILD SERVICES ADMINISTRATION**

Total Operating Expense	266,841,467	266,841,467
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DHHS CHILD WELFARE PROGRAM

Total Operating Expense	46,554,199	46,554,199
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CHILD WELFARE SERVICES STATE GRANTS

Total Operating Expense	11,416,415	11,416,415
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TITLE IV-D CHILD SUPPORT

Total Operating Expense	13,379,008	13,379,008
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The above appropriations for the department of child services Title IV-D of the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.

FAMILY AND CHILDREN FUND

Total Operating Expense	482,376,260	482,376,260
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Augmentation allowed.

With the above appropriations, the department of child services may:

(1) Operate an early intervention, home-based program pursuant to IC 31-33-8-16.

(2) Enter into a memorandum of understanding with the Public Defender Council and Commission to recruit, train, and reimburse public defenders for the support of at risk youth and families.

YOUTH SERVICE BUREAU

Total Operating Expense	1,008,947	1,008,947
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PROJECT SAFEPLACE

Total Operating Expense	112,000	112,000
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HEALTHY FAMILIES INDIANA

Total Operating Expense	3,093,145	3,093,145
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ADOPTION SERVICES

Total Operating Expense	26,362,735	26,362,735
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TITLE IV-E ADOPTION SERVICES

Total Operating Expense	31,489,886	31,489,886
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FOR THE DEPARTMENT OF ADMINISTRATION**DEPARTMENT OF CHILD SERVICES OMBUDSMAN BUREAU**

Total Operating Expense	362,000	362,000
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B. PUBLIC HEALTH**FOR THE STATE DEPARTMENT OF HEALTH**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

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1	Personal Services	18,627,727	18,627,727
2	Other Operating Expense	4,484,468	4,484,468
3	Augmentation allowed.		
4			
5	All receipts to the state department of health from licenses or permit fees shall		
6	be deposited in the state general fund.		
7			
8	AREA HEALTH EDUCATION CENTERS		
9	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
10	Total Operating Expense	2,630,676	2,630,676
11	MINORITY HEALTH INITIATIVE		
12	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
13	Total Operating Expense	3,000,000	3,000,000
14			
15	The above appropriations shall be allocated to the Indiana Minority Health Coalition		
16	to work with the state department on the implementation of IC 16-46-11.		
17			
18	SICKLE CELL		
19	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
20	Total Operating Expense	750,000	750,000
21	MEDICARE-MEDICAID CERTIFICATION		
22	Total Operating Expense	5,079,399	5,079,399
23			
24	Augmentation allowed in amounts not to exceed revenue from health facilities		
25	license fees or from health care providers (as defined in IC 16-18-2-163) fee		
26	increases or those adopted by the Executive Board of the Indiana State Department		
27	of Health under IC 16-19-3.		
28			
29	INFECTIOUS DISEASE		
30	Total Operating Expense	1,390,325	1,390,325
31	NUTRITION ASSISTANCE		
32	Total Operating Expense	280,806	280,806
33	HIV/AIDS SERVICES		
34	Total Operating Expense	2,925,101	2,925,101
35	CANCER PREVENTION		
36	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
37	Total Operating Expense	664,122	664,122
38	MATERNAL & CHILD HEALTH INITIATIVES		
39	Total Operating Expense	239,639	239,639
40	TUBERCULOSIS TREATMENT		
41	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
42	Total Operating Expense	100,000	100,000
43	STATE CHRONIC DISEASES		
44	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
45	Total Operating Expense	862,488	862,488
46			
47	At least \$82,560 of the above appropriations shall be distributed as grants to community		
48	groups and organizations as provided in IC 16-46-7-8. The state department of health		
49	may consider grants to the Kidney Foundation up to \$50,000.		

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Appropriation**OB NAVIGATOR PROGRAM**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense 3,300,000 3,300,000

ADOPTION HISTORY

Adoption History Fund (IC 31-19-18-6)

Total Operating Expense 195,163 195,163

Augmentation allowed.

CHILDREN WITH SPECIAL HEALTH CARE NEEDS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense 14,950,000 14,950,000

Augmentation allowed.

NEWBORN SCREENING PROGRAM

Newborn Screening Fund (IC 16-41-17-11)

Total Operating Expense 2,677,762 2,677,762

Augmentation allowed.

CENTER FOR DEAF AND HARD OF HEARING EDUCATION

Total Operating Expense 2,452,677 2,452,677

RADON GAS TRUST FUND

Radon Gas Trust Fund (IC 16-41-38-8)

Total Operating Expense 10,670 10,670

Augmentation allowed.

HEALTH ISSUES AND CHALLENGES GRANTS

Total Operating Expense 50,000,000

SAFETY PIN PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense 5,500,000 5,500,000

BIRTH PROBLEMS REGISTRY

Birth Problems Registry Fund (IC 16-38-4-17)

Total Operating Expense 73,517 73,517

Augmentation allowed.

MOTOR FUEL INSPECTION PROGRAM

Motor Fuel Inspection Fund (IC 16-44-3-10)

Total Operating Expense 239,125 239,125

Augmentation allowed.

DONATED DENTAL SERVICES

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense 34,335 34,335

The above appropriations shall be used by the Indiana foundation for dentistry to provide dental services to individuals who are handicapped.

OFFICE OF WOMEN'S HEALTH

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense 96,970 96,970

SPINAL CORD AND BRAIN INJURY

Spinal Cord and Brain Injury Fund (IC 16-41-42.2-3)

Total Operating Expense 1,600,000 1,600,000

Augmentation allowed.

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Appropriation**IMMUNIZATIONS AND HEALTH INITIATIVES****Healthy Indiana Plan Trust Fund (IC 12-15-44.2-17)**

Total Operating Expense	10,665,435	10,665,435
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WEIGHTS AND MEASURES FUND**Weights and Measures Fund (IC 16-19-5-4)**

Total Operating Expense	7,106	7,106
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Augmentation allowed.**MINORITY EPIDEMIOLOGY****Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	750,000	750,000
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COMMUNITY HEALTH CENTERS**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	14,453,000	14,453,000
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PRENATAL SUBSTANCE USE & PREVENTION**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	119,965	119,965
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OPIOID OVERDOSE INTERVENTION**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	250,000	250,000
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NURSE FAMILY PARTNERSHIP**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	5,000,000	5,000,000
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HEARING AND BLIND SERVICES**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	500,000	500,000
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Of the above appropriations for hearing and blind services, \$375,000 shall be annually deposited in the Hearing Aid Fund established under IC 16-35-8-3.

LOCAL HEALTH MAINTENANCE FUND**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	3,915,209	3,915,209
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Augmentation allowed.

The amount appropriated from the tobacco master settlement agreement fund is in lieu of the appropriation provided for this purpose in IC 6-7-1-30.5 or any other law. Of the above appropriations for the local health maintenance fund, \$60,000 each year shall be used to provide additional funding to adjust funding through the formula in IC 16-46-10 to reflect population increases in various counties. Money appropriated to the local health maintenance fund must be allocated under the following schedule each year to each local board of health whose application for funding is approved by the state department of health:

COUNTY POPULATION	AMOUNT OF GRANT
over 499,999	94,112
100,000 - 499,999	72,672
50,000 - 99,999	48,859
under 50,000	33,139

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Appropriation**LOCAL HEALTH DEPARTMENT ACCOUNT****Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	3,000,000	3,000,000
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The above appropriations for the local health department account are statutory distributions under IC 4-12-7.

TOBACCO USE PREVENTION AND CESSATION PROGRAM**Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

Total Operating Expense	7,500,000	7,500,000
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A minimum of 90% of the above appropriations shall be distributed as grants to local agencies and other entities with programs designed to reduce smoking.

FOR THE INDIANA SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

Personal Services	9,521,121	9,521,121
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Other Operating Expense	1,876,205	1,876,205
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FOR THE INDIANA SCHOOL FOR THE DEAF

Personal Services	14,394,996	14,394,996
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Other Operating Expense	2,238,712	2,238,712
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C. VETERANS' AFFAIRS**FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS**

Personal Services	1,452,580	1,452,580
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Other Operating Expense	785,536	785,536
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The above appropriations for personal services include funding for a women's veteran services officer and \$300,000 each year for six state veterans services officers.

VETERAN SERVICE ORGANIZATIONS

Total Operating Expense	910,000	910,000
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The above appropriations shall be used to assist veterans in securing available benefits. Of the above appropriations, the following amounts shall be allocated each fiscal year to the following organizations:

American Legion: \$202,000

Disabled Veterans: \$202,000

Veterans of Foreign Wars: \$202,000

AMVETS: \$202,000

Vietnam Veterans: \$102,000

The allocations shall be administered by the Indiana Department of Veterans' Affairs.

OPERATION OF VETERANS' CEMETERY

Total Operating Expense	350,000	350,000
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Appropriation**INDIANA VETERANS' HOME****Veterans' Home Comfort and Welfare Fund (IC 10-17-9-7(d))****Total Operating Expense 10,000,000 10,000,000****IVH Medicaid Reimbursement Fund****Total Operating Expense 14,500,000 14,500,000****Augmentation allowed from the Comfort and Welfare Fund and the IVH Medicaid Reimbursement Fund.****SECTION 9. [EFFECTIVE JULY 1, 2021]****EDUCATION****A. HIGHER EDUCATION****FOR INDIANA UNIVERSITY****BLOOMINGTON CAMPUS****Total Operating Expense 201,961,310 198,962,890****Fee Replacement 20,864,079 20,740,449****FOR INDIANA UNIVERSITY REGIONAL CAMPUSES****EAST****Total Operating Expense 14,047,315 15,042,686****KOKOMO****Total Operating Expense 16,059,485 16,526,185****NORTHWEST****Total Operating Expense 18,870,523 19,608,142****Fee Replacement 4,181,247 4,190,132****SOUTH BEND****Total Operating Expense 24,873,721 25,266,685****Fee Replacement 1,445,375 1,451,375****SOUTHEAST****Total Operating Expense 20,890,749 21,181,815****Fee Replacement 1,689,180 1,702,750****FORT WAYNE HEALTH SCIENCES PROGRAM****Total Operating Expense 4,971,250 4,971,250****TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES****107,028,845 109,941,020****FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY****AT INDIANAPOLIS (IUPUI)****I. U. SCHOOLS OF MEDICINE AND DENTISTRY****Total Operating Expense 105,712,799 107,827,053****Fee Replacement 7,006,738 6,982,835****FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE****INDIANA UNIVERSITY SCHOOL OF MEDICINE - EVANSVILLE****Total Operating Expense 2,212,633 2,256,886****INDIANA UNIVERSITY SCHOOL OF MEDICINE - FORT WAYNE**

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Appropriation

1	Total Operating Expense	2,068,129	2,109,492
2	INDIANA UNIVERSITY SCHOOL OF MEDICINE - NORTHWEST - GARY		
3	Total Operating Expense	2,766,537	2,821,868
4	INDIANA UNIVERSITY SCHOOL OF MEDICINE - LAFAYETTE		
5	Total Operating Expense	2,513,302	2,563,568
6	INDIANA UNIVERSITY SCHOOL OF MEDICINE - MUNCIE		
7	Total Operating Expense	2,300,988	2,347,008
8	INDIANA UNIVERSITY SCHOOL OF MEDICINE - SOUTH BEND		
9	Total Operating Expense	2,163,502	2,206,772
10	INDIANA UNIVERSITY SCHOOL OF MEDICINE - TERRE HAUTE		
11	Total Operating Expense	2,500,983	2,551,003

The Indiana University School of Medicine - Indianapolis shall submit to the Indiana commission for higher education before May 15 of each year an accountability report containing data on the number of medical school graduates who entered primary care physician residencies in Indiana from the school's most recent graduating class.

**FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS (IUPUI)
GENERAL ACADEMIC DIVISIONS**

20	Total Operating Expense	111,103,662	122,110,562
21	Fee Replacement	6,910,541	6,926,049

TOTAL APPROPRIATIONS - IUPUI

24	247,259,814	260,703,096
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Transfers of allocations between campuses to correct for errors in allocation among the campuses of Indiana University can be made by the institution with the approval of the commission for higher education and the budget agency. Indiana University shall maintain current operations at all statewide medical education sites.

DUAL CREDIT

32	Total Operating Expense	4,726,350	4,726,350
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CLINICAL AND TRANSLATIONAL SCIENCES INSTITUTE

34	Total Operating Expense	2,500,000	2,500,000
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GLOBAL NETWORK OPERATIONS CENTER

36	Total Operating Expense	721,861	721,861
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SPINAL CORD AND HEAD INJURY RESEARCH CENTER

38	Total Operating Expense	553,429	553,429
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INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES

40	Total Operating Expense	2,491,824	2,491,824
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Of the above appropriations, \$386,000 per year shall be used to provide technology support, technical assistance, and school improvement assistance to aid in educating students with autism and other developmental disabilities.

GEOLOGICAL SURVEY

47	Total Operating Expense	2,783,782	2,783,782
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I-LIGHT NETWORK OPERATIONS

49	Total Operating Expense	1,508,628	1,508,628
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FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation**GIGAPOP PROJECT****Total Operating Expense****672,562****672,562****FOR PURDUE UNIVERSITY****WEST LAFAYETTE****Total Operating Expense****222,755,871****223,527,695****Fee Replacement****32,152,425****29,002,950****NORTHWEST****Total Operating Expense****46,730,203****48,297,564****Fee Replacement****3,892,013****3,891,013****FORT WAYNE****Total Operating Expense****43,460,880****44,856,416****Fee Replacement****3,039,750****3,036,000****COLLEGE OF VETERINARY MEDICINE****Total Operating Expense****18,056,523****18,417,653**

Transfers of allocations between campuses to correct for errors in allocation among the campuses of Purdue University can be made by the institution with the approval of the commission for higher education and the budget agency.

DUAL CREDIT**Total Operating Expense****1,018,450****1,018,450****ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM****Total Operating Expense****3,711,561****3,711,561**

The above appropriations shall be used to fund the animal disease diagnostic laboratory system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease testing service at West Lafayette, and the southern branch of ADDL Southern Indiana Purdue Agricultural Center (SIPAC) in Dubois County. The above appropriations are in addition to any user charges that may be established and collected under IC 21-46-3-5. Notwithstanding IC 21-46-3-4, the trustees of Purdue University may approve reasonable charges for testing for pseudorabies.

STATEWIDE TECHNOLOGY**Total Operating Expense****6,695,258****6,695,258****COUNTY AGRICULTURAL EXTENSION EDUCATORS****Total Operating Expense****7,487,816****7,487,816****AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS****Total Operating Expense****8,492,325****8,492,325****CENTER FOR PARALYSIS RESEARCH****Total Operating Expense****522,558****522,558****IN TECH ASST. AND ADV. MFG. COMPETITIVENESS PROGRAM****Total Operating Expense****4,430,212****4,430,212****FOR INDIANA STATE UNIVERSITY****Total Operating Expense****72,063,968****74,498,951****Fee Replacement****11,044,480****11,051,288****DUAL CREDIT**

FY 2021-2022
AppropriationFY 2022-2023
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Appropriation

1	Total Operating Expense	221,800	221,800
2	NURSING PROGRAM		
3	Total Operating Expense	204,000	204,000
4	PRINCIPAL LEADERSHIP ACADEMY		
5	Total Operating Expense	600,000	600,000
6	DEGREE LINK		
7	Total Operating Expense	446,438	446,438
8			
9	FOR UNIVERSITY OF SOUTHERN INDIANA		
10	Total Operating Expense	48,210,149	51,038,023
11	Fee Replacement	14,377,159	12,317,288
12	DUAL CREDIT		
13	Total Operating Expense	617,200	617,200
14	HISTORIC NEW HARMONY		
15	Total Operating Expense	486,878	486,878
16			
17	FOR BALL STATE UNIVERSITY		
18	Total Operating Expense	134,408,873	133,010,951
19	Fee Replacement	24,739,019	24,741,019
20	DUAL CREDIT		
21	Total Operating Expense	265,350	265,350
22	ENTREPRENEURIAL COLLEGE		
23	Total Operating Expense	2,500,000	2,500,000
24	ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES		
25	Total Operating Expense	4,384,956	4,384,956
26			
27	FOR VINCENNES UNIVERSITY		
28	Total Operating Expense	43,561,521	44,475,375
29	Fee Replacement	6,204,550	5,507,270
30	DUAL CREDIT		
31	Total Operating Expense	4,794,850	4,794,850
32	CAREER AND TECHNICAL EARLY COLLEGE PROGRAM		
33	Total Operating Expense	3,000,000	3,000,000
34			
35	Additional Early College sites may be established upon approval by the Commission for		
36	Higher Education and review by the budget committee.		
37			
38	FOR IVY TECH COMMUNITY COLLEGE		
39	Total Operating Expense	229,890,923	235,110,368
40	Fee Replacement	28,938,873	28,484,398
41	DUAL CREDIT		
42	Total Operating Expense	18,970,800	18,970,800
43	STATEWIDE NURSING		
44	Total Operating Expense	85,411	85,411
45	TESTING CENTERS		
46	Total Operating Expense	710,810	710,810
47	INDIANA RURAL EDUCATION INITIATIVE		
48	Total Operating Expense	1,057,738	1,057,738
49			

*FY 2021-2022
Appropriation**FY 2022-2023
Appropriation**Biennial
Appropriation*

The sums herein appropriated to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College are in addition to all income of said institutions, respectively, from all permanent fees and endowments and from all land grants, fees, earnings, and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.

All such income and all such fees, earnings, and receipts on hand June 30, 2021, and all such income and fees, earnings, and receipts accruing thereafter are hereby appropriated to the boards of trustees or directors of the aforementioned institutions and may be expended for any necessary expenses of the respective institutions, including university hospitals, schools of medicine, nurses' training schools, schools of dentistry, and agricultural extension and experimental stations. However, such income, fees, earnings, and receipts may be used for land and structures only if approved by the governor and the budget agency.

The above appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College include the employers' share of Social Security payments for university employees under the public employees' retirement fund, or institutions covered by the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the public employees' retirement fund and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years for each institution's employees covered by these retirement plans.

The treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College shall, at the end of each three (3) month period, prepare and file with the auditor of state a financial statement that shall show in total all revenues received from any source, together with a consolidated statement of disbursements for the same period. The budget director shall establish the requirements for the form and substance of the reports.

The reports of the treasurer also shall contain in such form and in such detail as the governor and the budget agency may specify, complete information concerning receipts from all sources, together with any contracts, agreements, or arrangements with any federal agency, private foundation, corporation, or other entity from which such receipts accrue.

All such treasurers' reports are matters of public record and shall include without limitation a record of the purposes of any and all gifts and trusts with the sole exception of the names of those donors who request to remain anonymous.

Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community College on the basis of vouchers stating the total amount claimed against each fund or account, or both, but not to exceed the legally made appropriations.

For universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency.

For all university special appropriations, an itemized list of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.

The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, and the trustees of Ivy Tech Community College are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

**FOR THE MEDICAL EDUCATION BOARD
FAMILY PRACTICE RESIDENCY FUND**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	1,852,698	1,852,698
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Of the above appropriations, \$1,000,000 each year shall be distributed as grants for the purpose of improving family practice residency programs serving medically underserved areas.

**FOR THE GRADUATE MEDICAL EDUCATION BOARD
MEDICAL RESIDENCY EDUCATION GRANTS**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	4,000,000	4,000,000
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The above appropriations for medical residency education grants are to be distributed in accordance with IC 21-13-6.5.

FOR THE COMMISSION FOR HIGHER EDUCATION

Total Operating Expense	2,764,059	2,764,059
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FREEDOM OF CHOICE GRANTS

Total Operating Expense	66,225,902	66,225,902
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HIGHER EDUCATION AWARD PROGRAM

Total Operating Expense	101,425,081	101,425,081
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For the higher education awards and freedom of choice grants made for the biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:

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- (1) The commission shall maintain the proportionality of award maximums for public, private, and proprietary institutions when setting forth amounts under IC 21-12-1.7.
- (2) Minimum Award: No award shall be less than \$600.
- (3) The commission shall reduce award amounts as necessary to stay within the appropriation.

**TUITION AND FEE EXEMPTION FOR CHILDREN OF VETERANS AND
PUBLIC SAFETY OFFICERS**

Total Operating Expense	31,773,696	31,773,696
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MIDWEST HIGHER EDUCATION COMPACT

Total Operating Expense	115,000	115,000
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ADULT STUDENT GRANT APPROPRIATION

Total Operating Expense	7,579,858	7,579,858
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Priority for awards made from the above appropriation shall be given first to eligible students meeting TANF income eligibility guidelines as determined by the family and social services administration and second to eligible students who received awards from the adult grant fund during the school year associated with the biennial budget year. Funds remaining shall be distributed according to procedures established by the commission. The maximum grant that an applicant may receive for a particular academic term shall be established by the commission but shall in no case be greater than a grant for which an applicant would be eligible under IC 21-12-3 if the applicant were a full-time student. The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

The family and social services administration, division of family resources, shall apply all qualifying expenditures for the part-time grant program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

STEM TEACHER RECRUITMENT FUND

Total Operating Expense	5,000,000	5,000,000
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The above appropriations may be used to provide grants to nonprofit organizations that place new science, technology, engineering, and math teachers in elementary and high schools located in underserved areas.

TEACHER RESIDENCY GRANT PROGRAM (IC 21-18-15.1)

Total Operating Expense	1,000,000	1,000,000
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MINORITY TEACHER SCHOLARSHIP FUND (IC 21-13-2-1)

Total Operating Expense	400,000	400,000
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HIGH NEED STUDENT TEACHING STIPEND FUND (IC 21-13-7)

Total Operating Expense	450,000	450,000
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MINORITY STUDENT TEACHING STIPEND FUND (IC 21-13-8)

Total Operating Expense	50,000	50,000
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EARN INDIANA WORK STUDY PROGRAM

Total Operating Expense	606,099	606,099
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21ST CENTURY - ADMINISTRATIVE

Total Operating Expense	1,645,774	1,645,774
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FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation**21ST CENTURY SCHOLAR AWARDS**

Total Operating Expense	166,270,623	166,270,623
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The commission shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR 265.

The division of family resources shall apply all qualifying expenditures for the 21st century scholar program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

WORK AND LEARN INDIANA

Total Operating Expense	250,000	250,000
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NEXT GENERATION HOOSIER EDUCATORS

Total Operating Expense	6,082,400	6,082,400
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NATIONAL GUARD TUITION SCHOLARSHIP

Total Operating Expense	3,676,240	3,676,240
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The above appropriations for national guard scholarships plus reserve balances in the fund shall be the total allowable state expenditure for the program in the biennium.

PRIMARY CARE SCHOLARSHIP

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	2,000,000	2,000,000
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The above appropriations for primary care scholarships shall be distributed in accordance with IC 21-13-9.

LEARN MORE INDIANA

Total Operating Expense	582,295	582,295
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STATEWIDE TRANSFER AND TECHNOLOGY

Total Operating Expense	913,263	913,263
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HIGH VALUE WORKFORCE READY CREDIT BEARING GRANT (IC 21-12-8)

Total Operating Expense	1,000,000	1,000,000
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The above appropriations may be used to provide grants to adults who pursue high value certificates.

FOR THE DEPARTMENT OF ADMINISTRATION**COLUMBUS LEARNING CENTER LEASE PAYMENT**

Total Operating Expense	4,933,000	4,988,000
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B. ELEMENTARY AND SECONDARY EDUCATION**FOR THE DEPARTMENT OF EDUCATION**

17,529,420	17,529,420	
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Professional Standards Fund (IC 20-28-2-10)

1,237,940	1,237,940	
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FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation**Augmentation allowed from the Professional Standards Fund.**

The amounts specified from the General Fund and the Professional Standards Fund are for the following purposes:

Personal Services	13,499,980	13,499,980
Other Operating Expense	5,267,380	5,267,380

The above appropriations include funds to provide state support to educational service centers.

PUBLIC TELEVISION DISTRIBUTION

Total Operating Expense	3,123,750	3,123,750
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The Indiana Public Broadcasting Stations, Inc., shall submit a distribution plan for the eight Indiana public television stations for approval by the budget agency after review by the budget committee. Of the above appropriations, at least one seventh of the funds each year shall be set aside and distributed equally among all of the public radio stations.

STEM PROGRAM ALIGNMENT

Total Operating Expense	3,000,000	3,000,000
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The above appropriations for STEM program alignment shall be used to provide grants to high-need schools (as determined by a needs assessment conducted in partnership with a state research institution) for the purpose of implementing qualified STEM curricula and professional development plans, to develop methods of evaluating STEM curricula and professional development plans for the purpose of awarding STEM grants, to develop a system for measuring student growth in critical thinking, problem-solving, and other STEM-based skills in schools that receive STEM grants. The department shall provide an annual report to the general assembly, the office of the governor, and the state board of education describing the department's progress toward implementing the state's STEM plan. All data collected by the department shall be tracked electronically and shared with the management and performance hub for the purpose of collecting longitudinal data.

Of the above appropriations, \$300,000 each fiscal year shall be used to partner with the commission for higher education to provide professional development and technical assistance to schools that pilot the transitions math course for students transitioning from secondary to post-secondary education.

INDIANA BAR FOUNDATION - WE THE PEOPLE

Total Operating Expense	300,000	300,000
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RILEY HOSPITAL

Total Operating Expense	212,500	212,500
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BEST BUDDIES

Total Operating Expense	175,206	175,206
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SCHOOL TRAFFIC SAFETY

Total Operating Expense	227,143	227,143
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FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation**CHARTER AND INNOVATION NETWORK SCHOOL GRANT PROGRAM**

Total Operating Expense	36,700,000	47,500,000
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Augmentation allowed.**SPECIAL EDUCATION (S-5)**

Total Operating Expense	48,140,000	
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The above appropriations for special education are made under IC 20-35-6-2.

NEXT LEVEL COMPUTER SCIENCE PROGRAM

Total Operating Expense	3,000,000	3,000,000
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SPECIAL EDUCATION EXCISE**Excise Tax Funds of the Alcohol Beverage Commission (IC 20-35-4-4)**

Total Operating Expense	172,856	172,856
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Augmentation allowed.**TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION**

Total Operating Expense	2,157,521	2,157,521
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The above appropriations shall be distributed by the department of education on a monthly basis and in approximately equal payments to special education cooperatives, area career and technical education schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units under the Indiana state teachers' retirement fund, the amount they received during the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be distributed is greater than the total appropriation, the department of education shall reduce each entity's distribution proportionately.

DISTRIBUTION FOR TUITION SUPPORT

Total Operating Expense	7,608,330,000	7,798,540,000
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The above appropriations for tuition support are to be distributed in accordance with a statute enacted for this purpose during the 2021 session of the general assembly.

If the above appropriations for distribution for tuition support are more than the amount required by statute, the excess shall revert to the general fund.

The above appropriations for tuition support shall be made each fiscal year under a schedule set by the budget agency and approved by the governor. The schedule shall provide for at least twelve (12) payments made at least once every forty (40) days, and the aggregate of the payments in each fiscal year shall equal the amount required by statute.

TEACHER APPRECIATION GRANTS

Total Operating Expense	37,500,000	37,500,000
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It is the intent of the 2021 general assembly that the above appropriations for teacher appreciation grants shall be the total allowable state expenditure for the program. If disbursements are anticipated to exceed the total appropriation for

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a state fiscal year, the department of education shall reduce the distributions proportionately.

DISTRIBUTION FOR SUMMER SCHOOL

Total Operating Expense	18,360,000	18,360,000
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It is the intent of the 2021 general assembly that the above appropriations for summer school shall be the total allowable state expenditure for the program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

DISTRIBUTION FOR ADULT LEARNERS

Total Operating Expense	40,331,250	40,331,250
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EARLY INTERVENTION PROGRAM AND READING DIAGNOSTIC ASSESSMENT

Total Operating Expense	3,225,130	3,225,130
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The above appropriations for the early intervention program may be used for grants to local school corporations for grant proposals for early intervention programs.

The above appropriations may be used by the department of education for the reading diagnostic assessment and subsequent remedial programs or activities. The reading diagnostic assessment program, as approved by the board, is to be made available on a voluntary basis to all Indiana public and accredited nonpublic school first and second grade students upon the approval of the governing body of the school corporations or the accredited nonpublic school. The board shall determine how the funds will be distributed for the assessment and related remediation. The department or its representative shall provide progress reports on the assessment as requested by the board.

NATIONAL SCHOOL LUNCH PROGRAM

Total Operating Expense	5,033,086	5,108,582
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CURRICULAR MATERIAL REIMBURSEMENT

Total Operating Expense	39,000,000	39,000,000
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Before a school corporation or an accredited nonpublic school may receive a distribution under the textbook reimbursement program, the school corporation or accredited nonpublic school shall provide to the department the requirements established in IC 20-33-5-2. The department shall provide to the family and social services administration (FSSA) all data required for FSSA to meet the data collection reporting requirement in 45 CFR 265. The family and social services administration, division of family resources, shall apply all qualifying expenditures for the textbook reimbursement program toward Indiana's maintenance of effort under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).

TESTING

Total Operating Expense	22,355,000	22,355,000
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The above appropriations are for assessments, including special education alternate

assessments, as determined by the state board of education and the department of education.

REMEDATION TESTING

Total Operating Expense	11,711,344	11,711,344
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The above appropriations for remediation testing are for grants to public and accredited nonpublic schools through the department of education. Public and accredited nonpublic schools shall use the grants to fund formative tests to identify students who require remediation. Prior to distribution to public and accredited nonpublic schools, the grant amounts and formula shall be submitted to the state board of education and the budget agency for review and approval, and the department of education shall provide a report to the budget committee.

ADVANCED PLACEMENT PROGRAM

Other Operating Expense	5,200,000	5,200,000
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The above appropriations for the Advanced Placement Program are to provide funding for students of accredited public and nonpublic schools to take the College Board Advanced Placement math, English, and science exams. Any remaining funds available after exam fees have been paid shall be prioritized for use by teachers of math and science Advanced Placement courses to attend professional development training for those courses.

PSAT PROGRAM

Other Operating Expense	1,900,000	1,900,000
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The above appropriations for the PSAT program are to provide funding for students of accredited public and nonpublic schools in grade 10 and 11 to take the PSAT exam.

NON-ENGLISH SPEAKING PROGRAM

Total Operating Expense	25,000,000	25,000,000
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Augmentation allowed.

The above appropriations for the Non-English Speaking Program are for students who have a primary language other than English and limited English proficiency, as determined by using the WIDA Consortium ACCESS assessment.

The grant amount is determined as follows:

(1) Determine the number of students who score at level one (1) or level two (2) on the WIDA Consortium ACCESS assessment or who are English language learners who have severe special needs that require a different test to assess English proficiency multiplied by four hundred seventy-seven dollars (\$477) for state fiscal years beginning after June 30, 2021.

(2) Determine the number of students who score at level three (3) or level four (4) on the WIDA Consortium ACCESS assessment or who score at level five (5) or higher on the Tier A form of the WIDA Consortium ACCESS assessment multiplied by three hundred thirty-three dollars (\$333) for state fiscal years beginning after June 30, 2021.

(3) Determine the sum of the subdivision (1) amount plus the subdivision (2) amount.

FY 2021-2022
AppropriationFY 2022-2023
AppropriationBiennial
Appropriation**GIFTED AND TALENTED EDUCATION PROGRAM**

Total Operating Expense	11,095,389	11,095,389
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In each fiscal year, \$500,000 shall be made available to school corporations and charter schools to purchase verbal and quantitative reasoning tests to be administered to all students within the corporation or charter school that are enrolled in kindergarten, second grade, and fifth grade.

ALTERNATIVE EDUCATION

Total Operating Expense	5,306,394	5,306,394
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The above appropriations include funding to provide \$10,000 for each child in recovery from alcohol or drug abuse who attends a charter school accredited by the National Association of Recovery Schools. This funding is in addition to tuition support for the charter school.

SENATOR DAVID C. FORD EDUCATIONAL TECHNOLOGY PROGRAM

Total Operating Expense	3,086,071	3,086,071
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The department shall use the funds to make grants to school corporations to promote student learning through the use of technology. Notwithstanding distribution guidelines in IC 20-20-13, the department shall develop guidelines for distribution of the grants.

SCHOOL BUSINESS OFFICIALS LEADERSHIP ACADEMY

Total Operating Expense	127,500	127,500
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The department shall make available the above appropriations to the Indiana Association of School Business Officials to assist in the creation of an academy designed to strengthen the management and leadership skills of practicing Indiana school business officials.

SCHOOL INTERNET CONNECTION

Total Operating Expense	3,415,000	3,415,000
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DUAL IMMERSION PILOT PROGRAM

Total Operating Expense	425,000	425,000
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FOR THE STATE BOARD OF EDUCATION

Total Operating Expense	1,831,499	1,831,499
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The above appropriations for the Indiana state board of education are for the academic standards project to distribute copies of the academic standards and provide teachers with curriculum frameworks, for special evaluation and research projects, including national and international assessments, and for state board administrative expenses.

FOR THE INDIANA CHARTER SCHOOL BOARD

Total Operating Expense	444,059	444,059
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AppropriationFY 2022-2023
AppropriationBiennial
Appropriation

**FOR THE INDIANA PUBLIC RETIREMENT SYSTEM
TEACHERS' RETIREMENT FUND DISTRIBUTION**

Other Operating Expense	950,000,000	975,000,000
Augmentation allowed.		

If the amount actually required under the pre-1996 account of the teachers' retirement fund for actual benefits for the Post Retirement Pension Increases that are funded on a "pay as you go" basis plus the base benefits under the pre-1996 account of the teachers' retirement fund is:

- (1) greater than the above appropriations for a year, after notice to the governor and the budget agency of the deficiency, the above appropriation for the year shall be augmented from the state general fund. Any augmentation shall be included in the required pension stabilization calculation under IC 5-10.4; or
- (2) less than the above appropriations for a year, the excess shall be retained in the state general fund. The portion of the benefit funded by the annuity account and the actuarially funded Post Retirement Pension Increases shall not be part of this calculation.

C. OTHER EDUCATION

FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD

Personal Services	821,734	821,734
Other Operating Expense	162,971	162,971

FOR THE STATE LIBRARY

Personal Services	2,508,960	2,508,960
Other Operating Expense	256,603	256,603

STATEWIDE LIBRARY SERVICES

Total Operating Expense	1,184,343	1,184,343
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LIBRARY SERVICES FOR THE BLIND - ELECTRONIC NEWSLINES

Other Operating Expense	153,000	153,000
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ACADEMY OF SCIENCE

Total Operating Expense	4,357	4,357
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HISTORICAL MARKER PROGRAM

Total Operating Expense	8,649	8,649
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INSPIRE

Total Operating Expense	1,382,250	1,382,250
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LOCAL LIBRARY CONNECTIVITY GRANT

Total Operating Expense	1,419,434	1,419,434
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FOR THE ARTS COMMISSION

Personal Services	529,978	529,978
Other Operating Expense	2,802,439	2,802,439

The above appropriations to the arts commission includes \$650,000 each year to provide grants to:

- (1) the arts organizations that have most recently qualified for general operating support as major arts organizations as determined by the arts commission; and
- (2) the significant regional organizations that have most recently qualified

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for general operating support as mid-major arts organizations, as determined by the arts commission and its regional re-granting partners.

SECTION 10. [EFFECTIVE JULY 1, 2021]

DISTRIBUTIONS

FOR THE AUDITOR OF STATE

GAMING TAX

Total Operating Expense	50,500,000	50,500,000
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Augmentation allowed.

ALCOHOL BEVERAGE COMMISSION GALLONAGE TAX

Total Operating Expense	9,864,160	9,864,160
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Augmentation allowed.

SECTION 11. [EFFECTIVE JULY 1, 2021]

Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

SECTION 12. [EFFECTIVE JULY 1, 2021]

The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred. A person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service.

All appropriations provided by this act or any other statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner, are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and procedures established by the Indiana department of administration and the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred. A person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service for properly approved travel within the continental United States and a minimum of \$50 during any twenty-four (24) hour period for properly

approved travel outside the continental United States. However, while traveling in Japan, the minimum meal allowance shall not be less than \$90 for any twenty-four (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance shall not be less than \$85 for any twenty-four (24) hour period. While traveling in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum meal allowance shall not be less than \$65 for any twenty-four (24) hour period.

In the case of the state supported institutions of postsecondary education, approval for out-of-state travel may be given by the chief executive officer of the institution, or the chief executive officer's authorized designee, for the chief executive officer's respective personnel.

Before reimbursing overnight travel expenses, the auditor of state shall require documentation as prescribed in the state travel policies and procedures established by the Indiana department of administration and the budget agency. No appropriation from any fund may be construed as authorizing the payment of any sum in excess of the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service when used in the discharge of state business. The Indiana department of administration and the budget agency may adopt policies and procedures relative to the reimbursement of travel and moving expenses of new state employees and the reimbursement of travel expenses of prospective employees who are invited to interview with the state.

SECTION 13. [EFFECTIVE JULY 1, 2021]

Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions, and councils who are entitled to a salary per diem is equal to \$100 per day. However, members of boards, commissions, or councils who receive an annual or a monthly salary paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

SECTION 14. [EFFECTIVE JULY 1, 2021]

No payment for personal services shall be made by the auditor of state unless the payment has been approved by the budget agency or the designee of the budget agency.

SECTION 15. [EFFECTIVE JULY 1, 2021]

No warrant for operating expenses, capital outlay, or fixed charges shall be issued to any department or an institution unless the receipts of the department or institution have been deposited into the state treasury for the month. However, if a department or an institution has more than \$10,000 in daily receipts, the receipts shall be deposited into the state treasury daily.

SECTION 16. [EFFECTIVE JULY 1, 2021]

In case of loss by fire or any other cause involving any state institution or department, the proceeds derived from the settlement of any claim for the loss shall be deposited in the state treasury, and the amount deposited is hereby reappropriated to the institution or department for the purpose of replacing the loss. If it is determined

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that the loss shall not be replaced, any funds received from the settlement of a claim shall be deposited into the state general fund.

SECTION 17. [EFFECTIVE JULY 1, 2021]

If an agency has computer equipment in excess of the needs of that agency, then the excess computer equipment may be sold under the provisions of surplus property sales, and the proceeds of the sale or sales shall be deposited in the state treasury. The amount so deposited is hereby reappropriated to that agency for other operating expenses of the then current year, if approved by the director of the budget agency.

SECTION 18. [EFFECTIVE JULY 1, 2021]

This act does not authorize any rehabilitation and repairs to any state buildings, nor does it allow that any obligations be incurred for lands and structures, without the prior approval of the budget director or the director's designee. This SECTION does not apply to contracts for the state universities supported in whole or in part by state funds.

SECTION 19. [EFFECTIVE JULY 1, 2021]

If an agency has an annual appropriation fixed by law, and if the agency also receives an appropriation in this act for the same function or program, the appropriation in this act supersedes any other appropriations and is the total appropriation for the agency for that program or function.

SECTION 20. [EFFECTIVE JULY 1, 2021]

The balance of any appropriation or funds heretofore placed or remaining to the credit of any division of the state of Indiana, and any appropriation or funds provided in this act placed to the credit of any division of the state of Indiana, the powers, duties, and functions whereof are assigned and transferred to any department for salaries, maintenance, operation, construction, or other expenses in the exercise of such powers, duties, and functions, shall be transferred to the credit of the department to which such assignment and transfer is made, and the same shall be available for the objects and purposes for which appropriated originally.

SECTION 21. [EFFECTIVE JULY 1, 2021]

The director of the division of procurement of the Indiana department of administration, or any other person or agency authorized to make purchases of equipment, shall not honor any requisition for the purchase of an automobile that is to be paid for from any appropriation made by this act or any other act, unless the following facts are shown to the satisfaction of the commissioner of the Indiana department of administration or the commissioner's designee:

(1) In the case of an elected state officer, it shall be shown that the duties of the office require driving about the state of Indiana in the performance of official duty.

(2) In the case of department or commission heads, it shall be shown that the statutory duties imposed in the discharge of the office require traveling a greater distance

1 than one thousand (1,000) miles each month or that they are subject to official duty
2 call at all times.

3 (3) In the case of employees, it shall be shown that the major portion of the duties
4 assigned to the employee require travel on state business in excess of one thousand
5 (1,000) miles each month, or that the vehicle is identified by the agency as an integral
6 part of the job assignment.

7
8 In computing the number of miles required to be driven by a department head or an
9 employee, the distance between the individual's home and office or designated official
10 station is not to be considered as a part of the total. Department heads shall annually
11 submit justification for the continued assignment of each vehicle in their department,
12 which shall be reviewed by the commissioner of the Indiana department of administration,
13 or the commissioner's designee. There shall be an insignia permanently affixed on
14 each side of all state owned cars, designating the cars as being state owned. However,
15 this requirement does not apply to state owned cars driven by elected state officials
16 or to cases where the commissioner of the Indiana department of administration or
17 the commissioner's designee determines that affixing insignia on state owned cars
18 would hinder or handicap the persons driving the cars in the performance of their
19 official duties.

20
21 **SECTION 22. [EFFECTIVE JULY 1, 2021]**

22
23 When budget agency approval or review is required under this act, the budget agency
24 may refer to the budget committee any budgetary or fiscal matter for an advisory
25 recommendation. The budget committee may hold hearings and take any actions
26 authorized by IC 4-12-1-11, and may make an advisory recommendation to the budget
27 agency.

28
29 **SECTION 23. [EFFECTIVE JULY 1, 2021]**

30
31 The governor of the state of Indiana is solely authorized to accept on behalf of
32 the state any and all federal funds available to the state of Indiana. Federal funds
33 received under this SECTION are appropriated for purposes specified by the
34 federal government, subject to allotment by the budget agency. The provisions of
35 this SECTION and all other SECTIONS concerning the acceptance, disbursement,
36 review, and approval of any grant, loan, or gift made by the federal government
37 or any other source to the state or its agencies and political subdivisions shall
38 apply, notwithstanding any other law.

39
40 **SECTION 24. [EFFECTIVE JULY 1, 2021]**

41
42 Federal funds received as revenue by a state agency or department are not available
43 to the agency or department for expenditure until allotment has been made by the
44 budget agency under IC 4-12-1-12(d).

45
46 **SECTION 25. [EFFECTIVE JULY 1, 2021]**

47
48 A contract or an agreement for personal services or other services may not be
49 entered into by any agency or department of state government without the approval

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of the budget agency or the designee of the budget director.

SECTION 26. [EFFECTIVE JULY 1, 2021]

Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the auditor of state shall transfer, from the personal services appropriations for each of the various agencies and departments, necessary payments for Social Security, public employees' retirement, health insurance, life insurance, and any other similar payments directed by the budget agency.

SECTION 27. [EFFECTIVE JULY 1, 2021]

Subject to SECTION 22 of this act as it relates to the budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the 2021-2023 biennium, if it is considered necessary to do so in order to prevent a deficit financial situation.

SECTION 28. [EFFECTIVE JULY 1, 2021]

CONSTRUCTION

For the 2021-2023 biennium, the following amounts, from the funds listed as follows, are appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, capital lease rentals, and the purchase and sale of land, including equipment for these properties and other projects as specified.

State General Fund - Lease Rentals	
	225,602,266
State General Fund - Construction	
	629,093,746
Veterans' Home Building Fund (IC 10-17-9-7)	
	2,281,000
State Construction Fund (IC 9-13-2-173.1)	
	50,386,007
State Highway Fund (IC 8-23-9-54)	
	34,440,500
TOTAL	941,803,519

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

A. GENERAL GOVERNMENT

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Appropriation**FOR THE STATE BUDGET AGENCY**

Stadium Lease Rental	40,469,646	67,943,587
Convention Center Lease Rental	0	14,719,700
Indiana Motorsports Commission	7,000,000	7,000,000
Water Infrastructure	20,000,000	20,000,000
Northwest Indiana Reg. Dev. Auth.	12,000,000	12,000,000

The above appropriation for water infrastructure assistance is for the creation of a leveraged loan program to provide grants, loans, and other financial assistance from the water infrastructure assistance fund in accordance with a statute enacted for this purpose by the 2019 General Assembly.

STATE BUDGET AGENCY

Enterprise Grant Management System	0	3,000,000
Capital Reserve Account	0	100,000,000

The above appropriation may be used for design and construction expenses for the Westville Correctional Facility, Evansville Police Post and Lab, and a new consolidated campus for the Indiana School for the Deaf and the Indiana School for the Blind and Visually Impaired, or for another purpose after review by the budget committee.

LIEUTENANT GOVERNOR

Broadband Grants	250,000,000	0
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DEPARTMENT OF REVENUE

Integrated Tax System	20,300,000	0
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TREASURER OF STATE

Education Scholarship Accounts Impl.	5,000,000	0
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DEPARTMENT OF ADMINISTRATION

Preventive Maintenance	5,300,000	5,300,000
Repair and Rehabilitation	19,152,444	18,252,444

DEPARTMENT OF ADMINISTRATION - LEASES

NeuroDiagnostic Inst. Capital Lease	12,234,703	12,234,630
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STATE LIBRARY

Repair and Rehabilitation	0	2,000,000
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INDIANA STATE FAIR

Preventive Maintenance	1,045,000	1,045,000
Repair and Rehabilitation	1,775,552	4,356,500
Fall Creek Pavilion	50,000,000	0

B. PUBLIC SAFETY**(1) LAW ENFORCEMENT****INDIANA STATE POLICE**

Preventive Maintenance	955,899	955,899
Lowell District/Lab Construction	8,500,000	0
Repair and Rehabilitation	906,900	1,440,000

LAW ENFORCEMENT TRAINING BOARD

Preventive Maintenance	200,000	200,000
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		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Repair and Rehabilitation	143,885	241,350	
2	ADJUTANT GENERAL			
3	Preventive Maintenance	930,250	930,250	
4	Hamilton County Readiness Center	579,780	6,791,750	
5	Danville Armory Add. and Alter.	1,520,000	0	
6	Martinsville Armory Add. and Alter.	0	1,520,000	
7	State Construction Fund (IC 9-13-2-173.1)			
8	Repair and Rehabilitation	1,180,574	1,451,277	
9				
10	(2) CORRECTIONS			
11				
12	STATE PRISON			
13	Preventive Maintenance	467,500	467,500	
14	State Construction Fund (IC 9-13-2-173.1)			
15	Repair and Rehabilitation	1,500,000	500,000	
16	PENDLETON CORRECTIONAL FACILITY			
17	Preventive Maintenance	552,500	552,500	
18	WOMEN'S PRISON			
19	Preventive Maintenance	153,000	153,000	
20	NEW CASTLE CORRECTIONAL FACILITY			
21	Preventive Maintenance	700,000	700,000	
22	PUTNAMVILLE CORRECTIONAL FACILITY			
23	Preventive Maintenance	340,000	340,000	
24	INDIANAPOLIS RE-ENTRY EDUCATION FACILITY			
25	Preventive Maintenance	153,000	153,000	
26	BRANCHVILLE CORRECTIONAL FACILITY			
27	Preventive Maintenance	153,000	153,000	
28	State Construction Fund (IC 9-13-2-173.1)			
29	Repair and Rehabilitation	0	575,000	
30	WESTVILLE CORRECTIONAL FACILITY			
31	Preventive Maintenance	442,000	442,000	
32	State Construction Fund (IC 9-13-2-173.1)			
33	Repair and Rehabilitation	0	1,250,000	
34	ROCKVILLE CORRECTIONAL FACILITY			
35	Preventive Maintenance	212,500	212,500	
36	PLAINFIELD CORRECTIONAL FACILITY			
37	Preventive Maintenance	212,500	212,500	
38	State Construction Fund (IC 9-13-2-173.1)			
39	Repair and Rehabilitation	0	1,250,000	
40	RECEPTION AND DIAGNOSTIC CENTER			
41	Preventive Maintenance	89,250	89,250	
42	CORRECTIONAL INDUSTRIAL FACILITY			
43	Preventive Maintenance	255,000	255,000	
44	State Construction Fund (IC 9-13-2-173.1)			
45	Repair and Rehabilitation	4,250,000	950,000	
46	WABASH VALLEY CORRECTIONAL FACILITY			
47	Preventive Maintenance	224,125	224,125	
48	CHAIN O' LAKES CORRECTIONAL FACILITY			
49	Preventive Maintenance	38,250	38,250	

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1	MADISON CORRECTIONAL FACILITY		
2	Preventive Maintenance	318,750	318,750
3	MIAMI CORRECTIONAL FACILITY		
4	Preventive Maintenance	382,500	382,500
5	LOGANSPOUT JUVENILE CORRECTIONAL FACILITY		
6	State Construction Fund (IC 9-13-2-173.1)		
7	Repair and Rehabilitation	100,000	0
8	LAPORTE JUVENILE CORRECTIONAL FACILITY		
9	Preventive Maintenance	34,000	34,000
10	EDINBURGH CORRECTIONAL FACILITY		
11	Preventive Maintenance	34,000	34,000
12	PENDLETON JUVENILE CORRECTIONAL FACILITY		
13	Preventive Maintenance	127,500	127,500
14	NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY		
15	Preventive Maintenance	51,000	51,000
16	SOUTH BEND WORK RELEASE CENTER		
17	Preventive Maintenance	42,500	42,500
18	HERITAGE TRAIL CORRECTIONAL FACILITY		
19	Preventive Maintenance	191,250	191,250
20	State Construction Fund (IC 9-13-2-173.1)		
21	Repair and Rehabilitation	0	250,000
22			
23	C. CONSERVATION AND ENVIRONMENT		
24			
25	DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION		
26	Preventive Maintenance	50,000	50,000
27	State Construction Fund (IC 9-13-2-173.1)		
28	Repair and Rehabilitation	6,063,788	5,670,788
29	FISH AND WILDLIFE		
30	Preventive Maintenance	1,550,000	1,550,000
31	State Construction Fund (IC 9-13-2-173.1)		
32	Repair and Rehabilitation	0	850,000
33	FORESTRY		
34	Preventive Maintenance	1,525,000	1,525,000
35	State Construction Fund (IC 9-13-2-173.1)		
36	Repair and Rehabilitation	750,000	0
37	NATURE PRESERVES		
38	Preventive Maintenance	586,614	586,614
39	OUTDOOR RECREATION		
40	Preventive Maintenance	35,000	35,000
41	STATE PARKS AND RESERVOIR MANAGEMENT		
42	Preventive Maintenance	4,050,000	4,050,000
43	State Construction Fund (IC 9-13-2-173.1)		
44	Repair and Rehabilitation	2,875,000	3,397,500
45	DIVISION OF WATER		
46	Preventive Maintenance	83,500	83,500
47	State Construction Fund (IC 9-13-2-173.1)		
48	Repair and Rehabilitation	2,110,000	2,000,000
49	ENFORCEMENT		

		<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1	Preventive Maintenance	270,000	270,000	
2	ENTOMOLOGY			
3	Preventive Maintenance	137,500	137,500	
4	INDIANA STATE MUSEUM AND HISTORIC SITES CORPORATION			
5	Preventive Maintenance	574,687	574,687	
6	Repair and Rehabilitation	1,950,505	1,912,500	
7	State Construction Fund (IC 9-13-2-173.1)			
8	Repair and Rehabilitation	0	757,800	
9	WAR MEMORIALS COMMISSION			
10	Preventive Maintenance	617,000	617,000	
11	Repair and Rehabilitation	681,960	2,251,200	
12				
13	D. TRANSPORTATION			
14				
15	DEPARTMENT OF TRANSPORTATION - BUILDINGS AND GROUNDS			
16	State Highway Fund (IC 8-23-9-54)			
17	Preventive Maintenance	2,232,888	2,232,888	
18	State Highway Fund (IC 8-23-9-54)			
19	Repair and Rehabilitation	1,872,362	1,872,362	
20	State Highway Fund (IC 8-23-9-54)			
21	A&E Fee Matl. & Test. Lab Phase 4	105,000	0	
22	State Highway Fund (IC 8-23-9-54)			
23	Materials & Testing Lab Phase 4	1,500,000	0	
24	State Highway Fund (IC 8-23-9-54)			
25	Const. of the LaGrange Unit/Salt Bldg	8,700,000	0	
26	State Highway Fund (IC 8-23-9-54)			
27	Bluffton Subdistrict Renovation	4,950,000	0	
28	State Highway Fund (IC 8-23-9-54)			
29	A&E Fee Cloverdale Salt Building	125,000	0	
30	State Highway Fund (IC 8-23-9-54)			
31	Const. of the Cloverdale Salt Bldg	2,050,000	0	
32	State Highway Fund (IC 8-23-9-54)			
33	A&E Fee Mishawaka Unit/Salt Bldg	450,000	0	
34	State Highway Fund (IC 8-23-9-54)			
35	Cap. Land Purchase-Evansville Unit 1	250,000	0	
36	State Highway Fund (IC 8-23-9-54)			
37	Const. of the Mishawaka Unit/Salt Bldg	0	7,100,000	
38	State Highway Fund (IC 8-23-9-54)			
39	A&E Fee for Evansville Unit 1/Salt Bldg	0	450,000	
40	State Highway Fund (IC 8-23-9-54)			
41	A&E Fee Frankfort Subdistrict Renv.	0	300,000	
42	State Highway Fund (IC 8-23-9-54)			
43	Cap. Land Purchase-Roselawn Unit	0	250,000	
44				
45	E. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS			
46				
47	(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION			
48				
49	FSSA - DIVISION OF MENTAL HEALTH			

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1	State Construction Fund (IC 9-13-2-173.1)		
2	Repair and Rehabilitation	3,386,146	0
3	EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER		
4	Preventive Maintenance	36,500	36,500
5	State Construction Fund (IC 9-13-2-173.1)		
6	Repair and Rehabilitation	452,000	0
7	EVANSVILLE STATE HOSPITAL		
8	Preventive Maintenance	391,162	391,162
9	MADISON STATE HOSPITAL		
10	Preventive Maintenance	464,104	464,104
11	State Construction Fund (IC 9-13-2-173.1)		
12	Repair and Rehabilitation	0	98,400
13	LOGANSPOUT STATE HOSPITAL		
14	Preventive Maintenance	491,572	491,572
15	State Construction Fund (IC 9-13-2-173.1)		
16	Repair and Rehabilitation	833,369	1,824,000
17	RICHMOND STATE HOSPITAL		
18	Preventive Maintenance	550,000	550,000
19	State Construction Fund (IC 9-13-2-173.1)		
20	Repair and Rehabilitation	0	1,217,485
21	LARUE CARTER MEMORIAL HOSPITAL		
22	Preventive Maintenance	417,703	417,703
23	NEURO DIAGNOSTIC INSTITUTE		
24	Preventive Maintenance	475,810	475,810
25			
26	(2) PUBLIC HEALTH		
27			
28	SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED		
29	Preventive Maintenance	282,857	282,857
30	State Construction Fund (IC 9-13-2-173.1)		
31	Repair and Rehabilitation	1,262,390	885,249
32	SCHOOL FOR THE DEAF		
33	Preventive Maintenance	424,285	424,285
34	State Construction Fund (IC 9-13-2-173.1)		
35	Repair and Rehabilitation	734,637	1,960,604
36			
37	(3) VETERANS' AFFAIRS		
38			
39	DEPARTMENT OF VETERANS' AFFAIRS		
40	Preventive Maintenance	48,195	48,195
41	INDIANA VETERANS' HOME		
42	Veterans' Home Building Fund (IC 10-17-9-7)		
43	Preventive Maintenance	637,500	637,500
44	Veterans' Home Building Fund (IC 10-17-9-7)		
45	Repair and Rehabilitation	789,000	217,000
46			
47	F. EDUCATION		
48			
49	HIGHER EDUCATION		

	<i>FY 2021-2022 Appropriation</i>	<i>FY 2022-2023 Appropriation</i>	<i>Biennial Appropriation</i>
1			
2	INDIANA UNIVERSITY - TOTAL SYSTEM		
3	Repair and Rehabilitation	14,349,098	14,349,098
4	PURDUE UNIVERSITY - TOTAL SYSTEM		
5	Repair and Rehabilitation	12,242,154	12,242,154
6	INDIANA STATE UNIVERSITY		
7	Repair and Rehabilitation	1,504,289	1,504,289
8	UNIVERSITY OF SOUTHERN INDIANA		
9	Repair and Rehabilitation	1,112,962	1,112,962
10	BALL STATE UNIVERSITY		
11	Repair and Rehabilitation	2,917,359	2,917,359
12	VINCENNES UNIVERSITY		
13	Repair and Rehabilitation	1,005,286	1,005,286
14	IVY TECH COMMUNITY COLLEGE		
15	Repair and Rehabilitation	3,610,577	3,610,577
16			
17	SECTION 29. [EFFECTIVE JULY 1, 2021]		
18			
19	The budget agency may employ one (1) or more architects or engineers to inspect		
20	construction, rehabilitation, and repair projects covered by the appropriations		
21	in this act or previous acts.		
22			
23	SECTION 30. [EFFECTIVE UPON PASSAGE]		
24			
25	If any part of a construction or rehabilitation and repair appropriation made by		
26	this act or any previous acts has not been allotted or encumbered before the expiration		
27	of the biennium, the budget agency may determine that the balance of the appropriation		
28	is not available for allotment. The appropriation may be terminated, and the balance		
29	may revert to the fund from which the original appropriation was made.		
30			
31	SECTION 31. [EFFECTIVE JULY 1, 2021]		
32			
33	The budget agency may retain balances in the mental health fund at the end of any		
34	fiscal year to ensure there are sufficient funds to meet the service needs of the		
35	developmentally disabled and the mentally ill in any year.		
36			
37	SECTION 32. [EFFECTIVE JULY 1, 2021]		
38			
39	If the budget director determines at any time during the biennium that the executive		
40	branch of state government cannot meet its statutory obligations due to insufficient		
41	funds in the general fund, then notwithstanding IC 4-10-18, the budget agency, with		
42	the approval of the governor and after review by the budget committee, may transfer		
43	from the counter-cyclical revenue and economic stabilization fund to the general		
44	fund any additional amount necessary to maintain a positive balance in the general		
45	fund.		

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SECTION 33. IC 4-9.1-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. The ~~governor, budget director or the budget director's designee,~~ the auditor of state, and the treasurer of state constitute the state board of finance, referred to as the "board" in this chapter. The board has advisory supervision of the safekeeping of all funds coming into the state treasury and all other funds belonging to the state coming into the possession of any state officer or agency.

SECTION 34. IC 4-12-1-13, AS AMENDED BY P.L.8-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 13. (a) During the interval between sessions of the general assembly, the budget agency shall make regular or, at the request of the governor, special inspections of the respective institutions of the state supported by public funds. The budget agency shall report regularly to the governor relative to the physical condition of such institutions, and any contemplated action of the institution on a new or important matter, and on any other subject which the budget agency may deem pertinent or on which the governor may require information. The budget agency shall likewise familiarize itself with the best and approved practices in each of such institutions and supply such information to other institutions to make their operation more efficient and economical.

(b) Except as to officers and employees of state educational institutions, the executive secretary of the governor, the administrative assistants to the governor, the elected officials, and persons whose salaries or compensation are fixed by the governor pursuant to law, the annual compensation of all persons employed by agencies of the state shall be subject to the approval of the budget agency. Except as otherwise provided by IC 4-15-2.2, the budget agency shall establish classifications and schedules for fixing compensation, salaries and wages of all classes and types of employees of any state agency or state agencies, and any and all other such classifications affecting compensation as the budget agency shall deem necessary or desirable. The classifications and schedules thus established shall be filed in the office of the budget agency. Requests by an appointing authority for salary and wage adjustments or personal service payments coming within such classifications and schedules shall become effective when approved by, and upon the terms of approval fixed by, the budget agency. All personnel requests pertaining to the staffing of programs or agencies supported in whole or in part by federal funds are subject to review and approval by the state personnel department under IC 4-15-2.2.

(c) The budget agency shall review and approve, for the sufficiency of funds, all payments for personal services which are submitted to the auditor of state for payment.

(d) The budget agency shall review all contracts for personal services or other services and no contract for personal services or other services may be entered into by any agency of the state before the written approval of the budget agency is given. Each demand for payment submitted by an agency to the auditor of state under these contracts must be accompanied by a copy of the budget agency approval. No payment may be made by the auditor of state without such approval. However, this subsection does not apply to a contract entered into by:

- (1) a state educational institution; or
- (2) an agency of the state if the contract is not required to be approved by the budget agency under IC 4-13-2-14.1.

(e) The budget agency shall review and approve the policy and procedures governing travel prepared by the department of administration under IC 4-13-1, before the travel policies and procedures are distributed.

(f) Except as provided in subsections (g), (h), and (i), the budget agency may adopt such policies and procedures not

inconsistent with law as it may deem advisable to facilitate and carry out the powers and duties of the agency, including the execution and administration of all appropriations made by law. IC 4-22-2 does not apply to these policies and procedures.

(g) The budget agency may not enforce or apply any policy or procedure, unless specifically authorized by this chapter or an applicable statute, against or in relation to the following officials or agencies, unless the official or agency consents to comply with the policy or procedure, or emergency circumstances justify extraordinary measures to protect the state's budget or fiscal reserves:

- (1) The judicial department of the state.
- (2) The general assembly, the legislative services agency, or any other entity of the legislative department of the state.
- (3) The attorney general.
- (4) The auditor of state.
- (5) The secretary of state.
- (6) The superintendent of public instruction. This subdivision does not apply after January 10, 2021.
- (7) The treasurer of state.

(h) The budget agency may not enforce a policy or procedure against an official or an agency specified in subsection (g)(1) through (g)(7) by refusing to allot money from the ~~personal services/fringe benefits budget agency~~ contingency fund to the official or agency **without review by the budget committee.**

(i) The budget agency may not withhold or refuse to allot appropriations for a state educational institution without review by the budget committee.

SECTION 35. IC 4-12-17-1, AS ADDED BY P.L.217-2017, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) The ~~personal services/fringe benefits budget agency~~ contingency fund is established for the purpose of allotting money to departments, institutions, and state agencies for the purposes set forth in subsection (b). The fund consists of money appropriated to the fund by the general assembly. The budget agency shall administer the fund.

(b) Money in the fund may be used only with the approval of the governor for:

- (1) salary increases;
- (2) fringe benefit increases;
- (3) an employee leave conversion program;
- (4) state retiree health programs; ~~and~~
- (5) emergency capital project expenses;**
- (6) necessary expenses for existing programs as determined by the governor and budget director; and**
- ~~(7) any related expenses.~~

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund but remains available for expenditure.

~~(d) Notwithstanding IC 4-9.1-1-7, IC 4-13-2-23, or any other law, money may not be transferred, assigned, reassigned, or otherwise removed from the fund by the state board of finance, the budget agency, or any other state agency, except for the purposes specified in this section. The budget committee shall be advised of each transfer from the fund that exceeds five hundred thousand dollars (\$500,000).~~

SECTION 36. IC 4-13.1-2-4, AS AMENDED BY P.L.171-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. The chief information officer, in conjunction with:

- ~~(1) the state librarian or the state librarian's designee; budget director or the budget director's designee;~~
- (2) the director of the Indiana archives and records administration or the director's designee; and
- (3) a representative from each of the two (2) state agencies that generate the most revenue under this section;

shall establish reasonable fees for enhanced access to public records and other electronic records, so that the revenues generated are sufficient to develop, maintain, operate, and expand services that make public records available electronically. A meeting to establish or revise the fees described in this section is subject to the requirements of IC 5-14-1.5.

SECTION 37. IC 4-31-5-9, AS AMENDED BY P.L.256-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The commission shall determine the dates and (if the commission adopts a rule under subsection (c)) the number of racing days authorized under each recognized meeting permit. Except for racing at winterized tracks, a recognized meeting may not be conducted after December 10 of a calendar year.

(b) Except as provided in subsection (c), the commission shall require at least two hundred eighty (280) but not more than three hundred thirty (330) total live racing days each calendar year combined at both racetracks, as follows:

(1) At least one hundred sixty (160) but not more than one hundred eighty (180) live racing days must be for standardbreds to race at Hoosier Park.

(2) At least one hundred twenty (120) but not more than one hundred fifty (150) live racing days must be for horses that are:

(A) mounted by jockeys; and

(B) run on a course without jumps or obstacles; to race at Indiana Grand.

The requirements of this subsection are a continuing condition for maintaining the permit holder's permit. However, the requirements do not apply if the commission determines that the permit holder is prevented from conducting live horse racing as a result of a natural disaster or another event over which the permit holder has no control.

(c) The commission may by rule adjust any of the following:

(1) The total required number of live racing days under subsection (b).

(2) The number of live racing days required under subsection (b)(1).

(3) The number of live racing days required under subsection (b)(2).

(d) A permit holder may not conduct more than fourteen (14) races on a particular racing day, **unless authorized by the commission to conduct additional races.**

SECTION 38. IC 4-31-5.5-6, AS AMENDED BY P.L.229-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) A permit holder or group of permit holders that is authorized to operate satellite facilities may accept and transmit pari-mutuel wagers on horse racing at those facilities and may engage in all activities necessary to establish and operate appropriate satellite wagering facilities, including the following:

(1) Live simulcasts of horse racing conducted at the permit holder's racetrack or at other racetracks. However, a satellite facility operated by a permit holder may not simulcast races conducted in other states on any day that is not a live racing day (as defined in section 3 of this chapter) unless the satellite facility also simulcasts all available races conducted in Indiana on that day.

(2) Construction or leasing of satellite wagering facilities.

(3) Sale of food and beverages.

(4) Advertising and promotion.

(5) All other related activities.

(b) A permit holder authorized to operate a satellite facility may use an approved limited mobile gaming system to accept pari-mutuel wagers on horse racing at the satellite facility in accordance with IC 4-31-7-10.

(c) A permit holder authorized to operate a satellite facility may accept and transmit pari-mutuel wagers on races conducted at a racetrack that has entered into a

simulcasting contract with the permit holder even if the races are conducted during a time when the satellite facility is not open.

SECTION 39. IC 4-31-7-1, AS AMENDED BY P.L.268-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A person holding a permit to conduct a horse racing meeting or a license to operate a satellite facility may provide a place in the racing meeting grounds or enclosure or the satellite facility at which the person may conduct and supervise the pari-mutuel system of wagering by patrons of legal age on the horse races conducted or simulcast by the person, **and as permitted in section 7 of this chapter, IC 4-31-5.5, and IC 4-31-7.5.** The person may not permit or use:

(1) another place other than that provided and designated by the person; or

(2) another method or system of betting or wagering.

However, a permit holder licensed to conduct gambling games under IC 4-35 may permit wagering on gambling games at a racetrack as permitted by IC 4-35.

(b) Except as provided in section 7 of this chapter, IC 4-31-5.5, and IC 4-31-7.5, the pari-mutuel system of wagering may not be conducted on any races except the races at the racetrack, grounds, or enclosure for which the person holds a permit.

SECTION 40. IC 4-31-7-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) As used in this section, "live racing day" means a day on which at least eight (8) live horse races are conducted.

(b) Upon request by a permit holder from time to time, the commission may authorize the permit holder to conduct pari-mutuel wagering at the permit holder's racetrack on televised simulcasts of horse races from other racetracks in Indiana or in other states or countries where horse racing and wagering are permitted by law. **In addition, the commission may authorize the permit holder to conduct pari-mutuel wagering at the permit holder's racetrack on races from racetracks that have entered into a simulcasting contract with the permit holder even if the races are conducted during a time when the permit holder's racetrack is not open.** The commission may adopt rules regarding simulcasting. A permit holder that conducts at least one hundred twenty (120) live racing days annually may request an unlimited number of days of simulcasting per year. However, the requirement for one hundred twenty (120) live racing days does not apply if the commission determines that the permit holder is prevented from conducting live horse racing as a result of a natural disaster or other event over which the permit holder has no control. In addition, if the initial racing meeting conducted by a permit holder commences at such a time as to make it impractical to conduct one hundred twenty (120) live racing days during the permit holder's first year of operations, the commission may authorize the permit holder to conduct simulcast wagering during the first year of operations with fewer than one hundred twenty (120) live racing days. A permit holder that conducts fewer than one hundred twenty (120) live racing days annually may request permission to conduct simulcasting only during the hours on a racing day when racing is being conducted at the permit holder's racetrack. The televised simulcasts must comply with the Interstate Horse Racing Act of 1978 (15 U.S.C. 3001 et seq.).

(c) A permit holder that conducts simulcasts on a day that is not a live racing day may not simulcast races conducted in other states unless the permit holder also simulcasts all available races conducted in Indiana on that day.

SECTION 41. IC 4-31-9-3, AS AMENDED BY P.L.108-2019, SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) At the close of each day on which a permit holder or satellite facility operator conducts pari-mutuel wagering on live racing

or simulcasts at a racetrack or satellite facility, the permit holder or satellite facility operator shall pay to the department of state revenue a tax on the total amount of money wagered on that day as follows:

(1) Two percent (2%) of the total amount of money wagered ~~on live races and simulcasts conducted under IC 4-31-7~~ at a permit holder's racetrack.

(2) Two and one-half percent (2.5%) of the total amount of money wagered ~~on simulcasts at satellite facilities, regardless of whether those simulcasts originate from Indiana or another state, under IC 4-31-5.5-6~~ at a permit holder's satellite facility.

(b) The taxes collected under subsection (a) shall be paid from the amounts withheld under section 1 of this chapter and shall be distributed as follows:

(1) The first one hundred fifty thousand dollars (\$150,000) of taxes collected during each state fiscal year shall be deposited in the veterinary school research account established by IC 4-31-12-22.

(2) The remainder of the taxes collected during each state fiscal year shall be paid into the Indiana horse racing commission operating fund (IC 4-31-10).

(c) The tax imposed by this section is a listed tax for purposes of IC 6-8.1-1.

SECTION 42. IC 4-33-18-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. As used in this chapter, "department" means the Indiana department of gaming research; "division" means the gaming research ~~division~~ **commission** established by section 2 of this chapter.

SECTION 43. IC 4-33-18-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. ~~The Indiana department of gaming research is established as an agency of the state of Indiana. The gaming research division is established within the commission for the purpose of enhancing the gaming industry in Indiana through research and analysis.~~

SECTION 44. IC 4-33-18-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. The ~~department~~ is under the control of the governor; who **commission** shall appoint or employ the executive director of **the division** and other persons that the ~~governor~~ **commission** considers necessary.

SECTION 45. IC 4-33-18-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. (a) The executive director, with the ~~governor's commission's~~ approval, may employ individuals as are necessary to perform the various functions of the ~~department~~ **division**.

(b) ~~The executive director and the budget agency shall set the compensation for the department's employees.~~

SECTION 46. IC 4-33-18-5, AS AMENDED BY P.L.58-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. The ~~department division~~ shall research and analyze data and public policy issues relating to all aspects of gaming in Indiana for the enhancement of:

- (1) the Indiana lottery under IC 4-30;
- (2) pari-mutuel horse racing under IC 4-31;
- (3) charity gaming under IC 4-32.3; and
- (4) riverboat casino gambling under IC 4-33.

SECTION 47. IC 4-33-18-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. The ~~department division~~ shall study and make findings and recommendations on the following:

- (1) Alternative methods of taxing gaming entities, including taxes based upon the size of a riverboat or the number of gaming positions on board a riverboat.
- (2) The impact of flexible boarding on the gaming industry.
- (3) The impact of breed development programs and sire stakes racing in Indiana.

(4) Any other issue considered appropriate by the ~~department~~ **commission** or suggested by:

- (A) the Indiana lottery commission;
- (B) the Indiana horse racing commission; **or**
- (C) the department of state revenue. **or**
- (D) ~~the Indiana gaming commission.~~

SECTION 48. IC 4-33-18-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 7. The executive director shall submit the ~~department's division's~~ findings and recommendations to **the commission**, the governor, and the legislative council.

SECTION 49. IC 4-33-18-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. The ~~department division~~ shall impose an annual fee of twenty-five thousand dollars (\$25,000) upon the following:

- (1) Each licensed owner or operating agent operating a riverboat in Indiana.
- (2) Each permit holder (as defined in IC 4-31-2-14) operating a live pari-mutuel horse racing facility in Indiana.

SECTION 50. IC 4-33-18-9 IS REPEALED [EFFECTIVE JULY 1, 2021]. Sec. 9: (a) ~~Nothing in this chapter may be construed to limit the powers or responsibilities of:~~

- (1) ~~the state lottery commission under IC 4-30;~~
- (2) ~~the Indiana horse racing commission under IC 4-31; or~~
- (3) ~~the Indiana gaming commission under IC 4-32.3; IC 4-33; or IC 4-35.~~

(b) ~~The department may not exercise any administrative or regulatory powers with respect to:~~

- (1) ~~the Indiana lottery under IC 4-30;~~
- (2) ~~pari-mutuel horse racing under IC 4-31;~~
- (3) ~~charity gaming under IC 4-32.3;~~
- (4) ~~riverboat casino gambling under IC 4-33; or~~
- (5) ~~gambling games conducted at a racetrack (as defined in IC 4-35-2-9) under IC 4-35.~~

SECTION 51. IC 5-2-23-7 IS REPEALED [EFFECTIVE JULY 1, 2021]. Sec. 7: (a) ~~The exoneration fund is established for the purpose of carrying out this chapter. The fund shall be administered by the criminal justice institute.~~

(b) ~~The fund consists of appropriations from the general assembly.~~

SECTION 52. IC 5-2-23-8, AS ADDED BY P.L.165-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) A person to whom this chapter applies may seek compensation under this chapter by applying to the criminal justice institute on a form and in a manner to be determined by the criminal justice institute. An application must be submitted not later than:

- (1) November 1, 2021; or
- (2) two (2) years from the date the:
 - (A) judgment vacating, reversing, or setting aside the person's conviction becomes final; or
 - (B) governor pardons the person;

whichever is later. An applicant shall submit additional evidence to the criminal justice institute upon request by the criminal justice institute.

(b) An applicant must demonstrate the following in any application submitted to the criminal justice institute:

- (1) The applicant's eligibility for compensation under this chapter as described in this chapter.
- (2) The applicant's compliance with any rules promulgated or required by the criminal justice institute pursuant to section 9 of this chapter.

(c) Upon receipt of:

- (1) a completed application; and
- (2) any additional evidence required by the criminal justice institute;

the criminal justice institute shall evaluate, investigate, and make a determination with respect to an applicant's claim.

(d) If, at the conclusion of an investigation performed

pursuant to subsection (c), the criminal justice institute determines that the applicant qualifies for compensation under this chapter, the criminal justice institute shall pay ~~from the exoneration fund~~, any compensation due to the applicant, subject to the requirements of subsections (e) and (f).

(e) The criminal justice institute may not pay compensation to an applicant who:

- (1) has received an award for restitution or damages described in section 1 of this chapter in connection with the conviction;
- (2) has a pending case that might result in an award for restitution or damages described in section 1 of this chapter with respect to the conviction; or
- (3) has not executed the waiver described in section 4 of this chapter.

(f) The criminal justice institute may only pay compensation to the individual who was wrongfully incarcerated or, on behalf of the individual, to the individual's guardian. The criminal justice institute may not pay compensation to:

- (1) the estate of;
- (2) a fiduciary of;
- (3) a trust on behalf of; or
- (4) an assignee of;

the wrongfully incarcerated individual.

SECTION 53. IC 5-10.5-3-2, AS ADDED BY P.L.23-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The board is composed of nine (9) trustees appointed by the governor as follows:

- (1) At least one (1) trustee must have experience in economics, finance, or investments.
- (2) At least one (1) trustee must have experience in executive management or benefits administration.
- (3) The director of the ~~budget agency~~ **office of management and budget** or the ~~budget agency~~ director's designee serving as an ex officio voting member of the board. An individual appointed under this subdivision to serve as the ~~budget agency~~ **office of management and budget** director's designee:

- (A) is subject to section 5 of this chapter; and
- (B) serves as a permanent designee until replaced by the ~~budget agency~~ **office of management and budget** director.

(4) Two (2) trustees nominated by the speaker of the house of representatives as follows:

- (A) One (1) must be an active or retired police officer or firefighter who is a member of the 1977 police officers' and firefighters' pension and disability fund.
- (B) One (1) must be a member of the teachers' retirement fund with at least ten (10) years of creditable service.

(5) Two (2) trustees nominated by the president pro tempore of the senate as follows:

- (A) One (1) must be a member of the public employees' retirement fund with at least ten (10) years of creditable service.
- (B) One (1) must be a member of the teachers' retirement fund with at least ten (10) years of creditable service.

(6) One (1) trustee nominated by the auditor of state. The individual nominated under this subdivision may be the auditor of state or another individual who has experience in professional financial accounting or actuarial science.

(7) One (1) trustee nominated by the treasurer of state. The individual nominated under this subdivision may be the treasurer of state or another individual who has experience in economics, finance, or investments.

(b) If a vacancy on the board occurs, the governor shall, not later than forty-five (45) days after the date the vacancy occurs, appoint an individual to fill the vacancy using the criteria in

subsection (a).

(c) During the first year after an individual's initial appointment as a trustee and each year thereafter during which the individual serves as a trustee, the individual is strongly encouraged to complete at least twelve (12) hours of trustee education, at least two (2) hours in each of the following areas:

- (1) Fiduciary duties and responsibilities of a trustee.
- (2) Ethics.
- (3) Governance process and procedures.
- (4) Retirement plan design and administration.
- (5) Investments.
- (6) Actuarial principles and methods.

(d) Subject to the director's approval, each trustee is entitled to reimbursement for reasonable expenses actually incurred in fulfilling the educational requirements under subsection (c). The director shall give a preference for reimbursement for in-state training that meets the requirements under subsection (c), if in-state training is available.

SECTION 54. IC 5-11-4-3, AS AMENDED BY P.L.209-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) The expense of examination and investigation of accounts shall be paid by each municipality or entity as provided in this chapter.

(b) The state examiner shall not certify more often than monthly to the auditor of each county the amount chargeable to each taxing unit within the county for the expense of its examinations as provided in this chapter. Immediately upon receipt of the certified statement, the county auditor shall issue a warrant on the county treasurer payable to the treasurer of state out of the general fund of the county for the amount stated in the certificate. The county auditor shall reimburse the county general fund, except for the expense of examination and investigation of county offices, out of the money due the taxing units at the next semiannual settlement of the collection of taxes.

(c) If the county to which a claim is made is not in possession or has not collected the funds due or to be due to any examined municipality, then the certificate must be filed with and the warrant shall be drawn by the officer of the municipality having authority to draw warrants upon its funds. The municipality shall pay the warrant immediately to the treasurer of state. The money, when received by the treasurer of state, shall be deposited in the examinations fund created by subsection (g).

(d) Except as otherwise provided in this chapter, each:

- (1) taxing unit; and
- (2) soil and water conservation district;

shall be charged at the rate of one hundred seventy-five dollars (\$175) per day for each field examiner, private examiner, expert, or employee of the state board of accounts who is engaged in making examinations or investigations carried out under this article. Audited entities described in subdivisions (1) and (2) shall be charged the actual direct and indirect allowable cost under 2 CFR 200.425 of performing the audit. Except as provided in subsection (h), all other audited entities shall be charged the actual direct and indirect cost of performing the examination or investigation.

(e) The state examiner shall certify, as necessary, to the proper disbursing officer the total amount of expense incurred for the examination of:

- (1) any unit of state government or entity that is required by law to bear the costs of its own examination and operating expense; or
- (2) any utility owned or operated by any municipality or any department of the municipality, if the utility is operated from revenues or receipts other than taxation.

Upon receipt of the state examiner's certificate the unit of state government, entity, or utility shall immediately pay to the treasurer of state the amount charged. The money, when received by the treasurer of state, shall be deposited in the examinations fund created by subsection (g).

(f) In addition to other charges provided in this chapter, the state examiner may charge a reasonable fee for technology and processing costs related to completing reports of examination and processing reports of examination in the same manner as other charges are made under this chapter. The fees shall be deposited in the examinations fund created by subsection (g).

(g) There is created a dedicated fund known as the examinations fund in the hands of the state examiner to be used by the state examiner for the payment of the expense of examinations under this article. All fees charged for examinations under this article shall be deposited into the examinations fund. ~~Money in the fund is annually appropriated for the payment of the expense of examinations by the state board of accounts.~~ Money remaining in the fund at the end of the state fiscal year does not revert to the state general fund.

(h) A municipality that contracts for services with a volunteer fire department may pay the cost of an examination or investigation of the volunteer fire department under this chapter.

(i) An audit of a county shall include, but not be limited to, an audit of that county's soil and water conservation district established under IC 14-32.

SECTION 55. IC 5-28-38 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Indiana Regional Cities Development Fund).

SECTION 56. IC 5-28-41.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 41.6. Next Level Regional Recovery Fund

Sec. 1. As used in this chapter, "development authority" includes:

- (1) the northwest Indiana regional development authority established by IC 36-7.5-2-1;
- (2) a regional development authority established under IC 36-7.6-2-3; and
- (3) a regional development authority established under IC 36-7.7-3-1.

Sec. 2. As used in this chapter, "eligible regional recovery organization" means:

- (1) a development authority; and
- (2) a qualified nonprofit organization.

Sec. 3. As used in this chapter, "fund" refers to the next level regional recovery fund established by section 6 of this chapter.

Sec. 4. As used in this chapter, "qualified nonprofit organization" means a private, nonprofit entity formed as a partnership between local units (as defined in IC 4-4-32.2-9), private sector businesses, or community or philanthropic organizations to develop and implement a regional recovery strategy that has an organizational structure that conforms with the requirements of a policy developed by the corporation under section 15 of this chapter.

Sec. 5. As used in this chapter, "regional recovery strategy" refers to:

- (1) a development plan prepared by a development authority under IC 36-7.5-3-4, IC 36-7.6-3-5, or IC 36-7.7-3-4; or
- (2) a comprehensive economic development strategy developed by an eligible regional recovery organization.

Sec. 6. The next level regional recovery fund is established within the state treasury to do the following:

- (1) Support the corporation's next level regional recovery initiative.
- (2) Provide grants or loans to support proposals for economic development and regional recovery.

Sec. 7. The fund consists of:

- (1) appropriations from the general assembly;
- (2) grants, gifts, and donations intended for deposit in the fund;
- (3) interest deposited into the fund under section 9 of

this chapter; and

(4) loan repayments.

Sec. 8. The corporation shall administer the fund. The following may be paid from money in the fund:

- (1) Expenses of administering the fund.
- (2) Administrative expenses incurred to carry out the purposes of this chapter.

Sec. 9. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the state general fund. Interest from loans made under this chapter shall be deposited in the fund.

Sec. 10. (a) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(b) Money in the fund is continuously appropriated for the purposes of this chapter.

Sec. 11. The board has the following powers:

- (1) To accept, analyze, approve, and deny applications under this chapter.
- (2) To contract with experts for advice and counsel.
- (3) To employ staff to assist in carrying out this chapter, including the following:
 - (A) Providing assistance to applicants that wish to apply for a grant or loan from the fund.
 - (B) Analyzing proposals.
 - (C) Working with experts engaged by the board.
 - (D) Preparing reports and recommendations for the board.

Sec. 12. (a) The board may form a strategic review committee to review applications that are submitted under this chapter.

(b) The board may invite employees of state agencies and outside experts to:

- (1) sit on the strategic review committee; or
- (2) present analysis or opinions about any aspect of an application under review.

An employee of a state agency who sits on the strategic review committee or otherwise participates in the review of an application may not receive compensation for the employee's service on the strategic review committee or participation with the strategic review committee.

Sec. 13. (a) The board shall consider the following when reviewing applications for a grant or loan from the fund:

- (1) Recommendations from the board's strategic review committee described in section 12 of this chapter.
- (2) Which projects have the greatest economic development potential.
- (3) Whether the application includes a mental health component.
- (4) Whether the application has a focus on rural areas of the state.
- (5) The degree of regional collaboration.
- (6) The application's alignment with the state's economic development priorities.
- (7) Any other criteria as determined by the board.

(b) The board shall make final funding determinations for applications for a grant or loan from the fund.

(c) The board may not approve an application for a grant or loan from the fund unless the board finds that approving the application will have an overall positive return on investment for the state.

Sec. 14. (a) An eligible regional recovery organization may submit an application to the corporation for a grant or loan from the fund.

(b) An application for a grant or loan from the fund must be made on an application form prescribed by the board.

(c) An applicant shall provide all information required by this chapter.

(d) All applications for a grant or loan from the fund

must include a regional recovery strategy that complies with the requirements of a policy established under section 15 of this chapter and contain at least the following:

- (1) A comprehensive development plan and timeline.
- (2) A detailed financial analysis that includes the commitment of resources and a return on investment analysis.
- (3) A demonstration of the expected impact of the grant or loan on the region and state.
- (4) Any other information the board considers appropriate.

(e) An applicant for a grant or loan from the fund may request that information that may be excepted from disclosure under IC 5-14-3 that is submitted by the applicant be kept confidential.

Sec. 15. (a) Before July 1, 2021, the corporation shall develop a policy that establishes the framework for a next level regional recovery initiative.

(b) The policy developed by the corporation shall include detailed information outlining:

- (1) the entities that are eligible to submit applications for a grant or loan from the fund;
- (2) the elements of a regional recovery strategy, and the information a regional recovery strategy must contain in order to make projects to implement the strategy eligible for a grant or loan from the fund;
- (3) the types of projects that are eligible for financial support from the fund; and
- (4) the criteria that will be used by a strategic review committee and the board to analyze applications for a grant or loan from the fund.

(c) The policy developed by the corporation must be approved by the board after review by the budget committee.

SECTION 57. IC 6-1.1-10-48, AS ADDED BY P.L.85-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 48. (a) This section applies to assessment dates occurring after December 31, 2016.

(b) Tangible property is exempt from property taxation if:

- (1) it is owned by an Indiana nonprofit public benefit corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code;
- (2) the property is used in the operation of a nonprofit health, fitness, aquatics, and community center; and
- (3) funds for the acquisition and development of the property have been provided in part under the regional cities initiative of the Indiana economic development corporation under IC 5-28-38 **(before its repeal)**.

(c) The property that is exempt under this section also includes any part of the property that is leased or licensed by the owner to another nonprofit or municipal entity for use as a nonprofit health, fitness, aquatics, or community center and property used for storage and parking.

(d) For purposes of this section, a tract of land and any improvements on the land are exempt from taxation if not more than four (4) years after the property is purchased, and for each year after the four (4) year period, the owner demonstrates substantial progress and active pursuit towards the use of the tract of land and any improvements on the tract as a nonprofit health, fitness, aquatics, and community center. To establish substantial progress and active pursuit under this subsection, the owner must prove the existence of factors such as the following:

- (1) Organization of and activity by a building committee or other oversight group.
- (2) Completion and filing of building plans with the appropriate local government authority.
- (3) Cash reserves dedicated to the project of a sufficient amount to lead a reasonable individual to believe actual construction can and will begin within four (4) years.
- (4) The breaking of ground and the beginning of actual

construction.

(5) Any other factor that would lead a reasonable individual to believe that construction of the improvement is an active plan and that the improvement is capable of being completed within eight (8) years considering the circumstances of the owner.

(e) To the extent the owner of property that is exempt from taxation as provided in this section has paid any property taxes, penalties, or interest with respect to the property for the 2017 assessment date through the 2018 assessment date, the owner of the exempt property is entitled to a refund of the amounts paid on the exempt property. Notwithstanding the filing deadlines for a claim under IC 6-1.1-26, any claim for a refund filed by the owner of exempt property under this subsection before September 1, 2019, is considered timely filed. The county auditor shall pay the refund due under this subsection in one (1) installment.

(f) If a refund is due under subsection (e) to an owner of property that is exempt under this section, the owner is not entitled to interest on the refund under this article or any other law to the extent interest has not been paid by or on behalf of the owner.

SECTION 58. IC 6-1.1-20.3-4, AS AMENDED BY P.L.241-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The distressed unit appeal board is established.

(b) The distressed unit appeal board consists of the following members:

- (1) The director of the office of management and budget or the director's designee. The director or the director's designee shall serve as chairperson of the distressed unit appeal board.
- (2) The commissioner of the department of local government finance or the commissioner's designee.
- (3) The state examiner of the state board of accounts or the state examiner's designee.
- (4) The ~~state superintendent of public instruction~~ **secretary of education** or the ~~superintendent's~~ **secretary's** designee.
- (5) An individual appointed by the governor.
- (6) A member of the house of representatives appointed by the speaker of the house of representatives, who shall serve as a nonvoting member.
- (7) A member of the senate appointed by the president pro tempore of the senate, who shall serve as a nonvoting member.
- (8) A member to serve a one (1) year term in each even-numbered year who:
 - (A) is a member of the house of representatives; and
 - (B) is appointed by the minority leader of the house of representatives.

The member is a nonvoting member.

(9) A member to serve a one (1) year term in each odd-numbered year who:

- (A) is a member of the senate; and
- (B) is appointed by the minority leader of the senate.

The member is a nonvoting member.

(c) Each member of the board who is not a member of the general assembly is entitled to reimbursement for:

- (1) traveling expenses as provided under IC 4-13-1-4; and
- (2) other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(d) Each member of the board who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees. Per diem, mileage, and travel allowances paid under this section shall be paid from appropriations made to the legislative council or the legislative

services agency.

SECTION 59. IC 6-2.5-1-5, AS AMENDED BY P.L.146-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. (a) Except as provided in subsection (b), "gross retail income" means the total amount of consideration, including cash, credit, property, and services, for which tangible personal property is sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for:

- (1) the seller's cost of the property sold;
- (2) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;
- (3) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;
- (4) delivery charges; or
- (5) consideration received by the seller from a third party if:

- (A) the seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;
- (B) the seller has an obligation to pass the price reduction or discount through to the purchaser;
- (C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and
- (D) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate, or other documentation presented by the purchaser.

For purposes of subdivision (4), delivery charges are charges by the seller for preparation and delivery of the property to a location designated by the purchaser of property, including but not limited to transportation, shipping, postage charges that are not separately stated on the invoice, bill of sale, or similar document, handling, crating, and packing. Delivery charges do not include postage charges that are separately stated on the invoice, bill of sale, or similar document.

(b) "Gross retail income" does not include that part of the gross receipts attributable to:

- (1) the value of any tangible personal property received in a like kind exchange in the retail transaction, if the value of the property given in exchange is separately stated on the invoice, bill of sale, or similar document given to the purchaser;
- (2) the receipts received in a retail transaction which constitute interest, finance charges, or insurance premiums on either a promissory note or an installment sales contract;
- (3) discounts, including cash, terms, or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;
- (4) interest, financing, and carrying charges from credit extended on the sale of personal property if the amount is separately stated on the invoice, bill of sale, or similar document given to the purchaser;
- (5) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale, or similar document given to the purchaser, including an excise tax imposed under IC 6-6-15;
- (6) installation charges that are separately stated on the invoice, bill of sale, or similar document given to the purchaser;
- (7) telecommunications nonrecurring charges;
- (8) postage charges that are separately stated on the invoice, bill of sale, or similar document; or
- (9) charges for serving or delivering food and food

ingredients furnished, prepared, or served for consumption at a location, or on equipment, provided by the retail merchant, to the extent that the charges for the serving or delivery are stated separately from the price of the food and food ingredients when the purchaser pays the charges.

(c) Notwithstanding subsection (b)(5):

- (1) in the case of retail sales of special fuel (as defined in IC 6-6-2.5-22), the gross retail income is the total sales price of the special fuel minus the part of that price attributable to tax imposed under IC 6-6-2.5 or Section 4041 or Section 4081 of the Internal Revenue Code; and
- (2) in the case of retail sales of cigarettes (as defined in IC 6-7-1-2), the gross retail income is the total sales price of the cigarettes including the tax imposed under IC 6-7-1; and

(3) in the case of retail sales of consumable material (as defined in IC 6-7-4-1) and vapor products (as defined in IC 6-7-4-6), the gross retail income received from selling at retail is the total sales price of the consumable material (as defined in IC 6-7-4-1) and vapor products (as defined in IC 6-7-4-6) including the tax imposed under IC 6-7-4.

(d) Gross retail income is only taxable under this article to the extent that the income represents:

- (1) the price of the property transferred, without the rendition of any services; and
- (2) except as provided in subsection (b), any bona fide changes which are made for preparation, fabrication, alteration, modification, finishing, completion, delivery, or other service performed in respect to the property transferred before its transfer and which are separately stated on the transferor's records. For purposes of this subdivision, a transfer is considered to have occurred after the delivery of the property to the purchaser.

(e) A public utility's or a power subsidiary's gross retail income includes all gross retail income received by the public utility or power subsidiary, including any minimum charge, flat charge, membership fee, or any other form of charge or billing.

SECTION 60. IC 6-2.5-8-1, AS AMENDED BY P.L.146-2020, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) A retail merchant may not make a retail transaction in Indiana, unless the retail merchant has applied for a registered retail merchant's certificate.

(b) A retail merchant may obtain a registered retail merchant's certificate by filing an application with the department and paying a registration fee of twenty-five dollars (\$25) for each place of business listed on the application. The retail merchant shall also provide such security for payment of the tax as the department may require under IC 6-2.5-6-12.

(c) The retail merchant shall list on the application the location (including the township) of each place of business where the retail merchant makes retail transactions. However, if the retail merchant does not have a fixed place of business, the retail merchant shall list the retail merchant's residence as the retail merchant's place of business. In addition, a public utility may list only its principal Indiana office as its place of business for sales of public utility commodities or service, but the utility must also list on the application the places of business where it makes retail transactions other than sales of public utility commodities or service.

(d) Upon receiving a proper application, the correct fee, and the security for payment, if required, the department shall issue to the retail merchant a separate registered retail merchant's certificate for each place of business listed on the application. Each certificate shall bear a serial number and the location of the place of business for which it is issued.

(e) The department may deny an application for a registered retail merchant's certificate if the applicant's business is operated, managed, or otherwise controlled by or affiliated with

a person, including a relative, family member, responsible officer, or owner, who the department has determined:

- (1) failed to:
 - (A) file all tax returns or information reports with the department for listed taxes; or
 - (B) pay all taxes, penalties, and interest to the department for listed taxes; and
- (2) the business of the person who has failed to file all tax returns or information reports under subdivision (1)(A) or who has failed to pay all taxes, penalties, and interest under subdivision (1)(B) is substantially similar to the business of the applicant.

(f) If a retail merchant intends to make retail transactions during a calendar year at a new Indiana place of business, the retail merchant must file a supplemental application and pay the fee for that place of business.

(g) Except as provided in subsection (i), a registered retail merchant's certificate is valid for two (2) years after the date the registered retail merchant's certificate is originally issued or renewed. If the retail merchant has filed all returns and remitted all taxes the retail merchant is currently obligated to file or remit, the department shall renew the registered retail merchant's certificate within thirty (30) days after the expiration date, at no cost to the retail merchant. Before issuing or renewing the registered retail merchant certification, the department may require the following to be provided:

- (1) The names and addresses of the retail merchant's principal employees, agents, or representatives who engage in Indiana in the solicitation or negotiation of the retail transaction.
- (2) The location of all of the retail merchant's places of business in Indiana, including offices and distribution houses.
- (3) Any other information that the department requests.

(h) The department may not renew a registered retail merchant certificate of a retail merchant who is delinquent in remitting withholding taxes required to be remitted under IC 6-3-4, **the electronic cigarette tax under IC 6-7-4**, or sales or use tax. The department, at least sixty (60) days before the date on which a retail merchant's registered retail merchant's certificate expires, shall notify a retail merchant who is delinquent in remitting withholding taxes required to be remitted under IC 6-3-4, **the electronic cigarette tax under IC 6-7-4**, or sales or use tax that the department will not renew the retail merchant's registered retail merchant's certificate.

(i) If:

- (1) a retail merchant has been notified by the department that the retail merchant is delinquent in remitting withholding taxes or sales or use tax in accordance with subsection (h); and
- (2) the retail merchant pays the outstanding liability before the expiration of the retail merchant's registered retail merchant's certificate;

the department shall renew the retail merchant's registered retail merchant's certificate for one (1) year.

(j) The department may permit an out-of-state retail merchant to collect the gross retail tax in instances where the retail merchant has not met the thresholds in IC 6-2.5-2-1(d). However, before the out-of-state retail merchant may collect the tax, the out-of-state retail merchant must obtain a registered retail merchant's certificate in the manner provided by this section. Upon receiving the certificate, the out-of-state retail merchant becomes subject to the same conditions and duties as an Indiana retail merchant and must then collect the gross retail tax due on all retail transactions that the out-of-state retail merchant knows are sourced to Indiana pursuant to IC 6-2.5-13-1.

(k) Except as provided in subsection (l), the department shall submit to the township assessor, or the county assessor if there is no township assessor for the township, before January 15 of

each year:

- (1) the name of each retail merchant that has newly obtained a registered retail merchant's certificate during the preceding year for a place of business located in the township or county;
- (2) the address of each place of business of the taxpayer in the township or county described in subdivision (1);
- (3) the name of each retail merchant that:
 - (A) held a registered retail merchant's certificate at any time during the preceding year for a place of business located in the township or county; and
 - (B) had ceased to hold the registered retail merchant's certificate at the end of the preceding year for the place of business; and
- (4) the address of each place of business described in subdivision (3).

(l) If the duties of the township assessor have been transferred to the county assessor as described in IC 6-1.1-1-24, the department shall submit the information listed in subsection (k) to the county assessor.

SECTION 61. IC 6-3-1-3.5, AS AMENDED BY P.L.146-2020, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3.5. When used in this article, the term "adjusted gross income" shall mean the following:

(a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal Revenue Code), modified as follows:

- (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.
- (2) Except as provided in subsection (c), add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.
- (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000).
- (4) Subtract one thousand dollars (\$1,000) for:
 - (A) each of the exemptions provided by Section 151(c) of the Internal Revenue Code (as effective January 1, 2017);
 - (B) each additional amount allowable under Section 63(f) of the Internal Revenue Code; and
 - (C) the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.
- (5) Subtract:
 - (A) one thousand five hundred dollars (\$1,500) for each of the exemptions allowed under Section 151(c)(1)(B) of the Internal Revenue Code (as effective January 1, 2004);
 - (B) one thousand five hundred dollars (\$1,500) for each exemption allowed under Section 151(c) of the Internal Revenue Code (as effective January 1, 2017) for an individual:
 - (i) who is less than nineteen (19) years of age or is a full-time student who is less than twenty-four (24) years of age;
 - (ii) for whom the taxpayer is the legal guardian; and
 - (iii) for whom the taxpayer does not claim an exemption under clause (A); and
 - (C) five hundred dollars (\$500) for each additional amount allowable under Section 63(f)(1) of the Internal Revenue Code if the federal adjusted gross income of the taxpayer, or the taxpayer and the taxpayer's spouse in the case of a joint return, is less

than forty thousand dollars (\$40,000). In the case of a married individual filing a separate return, the qualifying income amount in this clause is equal to twenty thousand dollars (\$20,000).

This amount is in addition to the amount subtracted under subdivision (4).

(6) Subtract any amounts included in federal adjusted gross income under Section 111 of the Internal Revenue Code as a recovery of items previously deducted as an itemized deduction from adjusted gross income.

(7) Subtract any amounts included in federal adjusted gross income under the Internal Revenue Code which amounts were received by the individual as supplemental railroad retirement annuities under 45 U.S.C. 231 and which are not deductible under subdivision (1).

(8) Subtract an amount equal to the amount of federal Social Security and Railroad Retirement benefits included in a taxpayer's federal gross income by Section 86 of the Internal Revenue Code.

(9) In the case of a nonresident taxpayer or a resident taxpayer residing in Indiana for a period of less than the taxpayer's entire taxable year, the total amount of the deductions allowed pursuant to subdivisions (3), (4), and (5) shall be reduced to an amount which bears the same ratio to the total as the taxpayer's income taxable in Indiana bears to the taxpayer's total income.

(10) In the case of an individual who is a recipient of assistance under IC 12-10-6-1, IC 12-10-6-2.1, IC 12-15-2-2, or IC 12-15-7, subtract an amount equal to that portion of the individual's adjusted gross income with respect to which the individual is not allowed under federal law to retain an amount to pay state and local income taxes.

(11) In the case of an eligible individual, subtract the amount of a Holocaust victim's settlement payment included in the individual's federal adjusted gross income.

(12) Subtract an amount equal to the portion of any premiums paid during the taxable year by the taxpayer for a qualified long term care policy (as defined in IC 12-15-39.6-5) for the taxpayer or the taxpayer's spouse if the taxpayer and the taxpayer's spouse file a joint income tax return or the taxpayer is otherwise entitled to a deduction under this subdivision for the taxpayer's spouse, or both.

(13) Subtract an amount equal to the lesser of:

(A) two thousand five hundred dollars (\$2,500), or one thousand two hundred fifty dollars (\$1,250) in the case of a married individual filing a separate return; or

(B) the amount of property taxes that are paid during the taxable year in Indiana by the individual on the individual's principal place of residence.

(14) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the individual's federal adjusted gross income.

(15) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(16) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(17) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in

an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(18) Subtract an amount equal to the amount of the taxpayer's qualified military income that was not excluded from the taxpayer's gross income for federal income tax purposes under Section 112 of the Internal Revenue Code.

(19) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the individual's federal adjusted gross income under the Internal Revenue Code.

(20) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract the amount necessary from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(21) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(22) Subtract an amount as described in Section 1341(a)(2) of the Internal Revenue Code to the extent, if any, that the amount was previously included in the taxpayer's adjusted gross income for a prior taxable year.

(23) For taxable years beginning after December 25, 2016, add an amount equal to the deduction for deferred foreign income that was claimed by the taxpayer for the taxable year under Section 965(c) of the Internal Revenue Code.

(24) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal

Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(25) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(26) Subtract any other amounts the taxpayer is entitled to deduct under IC 6-3-2.

(27) Subtract the amount of an annual grant amount distributed to a taxpayer's Indiana education scholarship account under IC 20-51.4-4-2 that is used for a qualified expense (as defined in IC 20-51.4-2-11), to the extent the distribution used for the qualified expense is included in the taxpayer's adjusted federal gross income under the Internal Revenue Code.

(b) In the case of corporations, the same as "taxable income" (as defined in Section 63 of the Internal Revenue Code) adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 170 of the Internal Revenue Code (concerning charitable contributions).

(3) Except as provided in subsection (c), add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 63 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.

(4) Subtract an amount equal to the amount included in the corporation's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(8) Add to the extent required by IC 6-3-2-20:

(A) the amount of intangible expenses (as defined in IC 6-3-2-20) for the taxable year that reduced the corporation's taxable income (as defined in Section 63 of the Internal Revenue Code) for federal income tax purposes; and

(B) any directly related interest expenses (as defined in IC 6-3-2-20) that reduced the corporation's adjusted gross income (determined without regard to this subdivision). For purposes of this clause, any directly related interest expense that constitutes business interest within the meaning of Section 163(j) of the Internal Revenue Code shall be considered to have reduced the taxpayer's federal taxable income only in the first taxable year in which the deduction otherwise would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(9) Add an amount equal to any deduction for dividends paid (as defined in Section 561 of the Internal Revenue Code) to shareholders of a captive real estate investment trust (as defined in section 34.5 of this chapter).

(10) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the corporation's taxable income under the Internal Revenue Code.

(11) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(12) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(13) For taxable years beginning after December 25, 2016:

(A) for a corporation other than a real estate investment trust, add:

(i) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or

(ii) if the taxpayer deducted an amount under

Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code; and

(B) for a real estate investment trust, add an amount equal to the deduction for deferred foreign income that was claimed by the taxpayer for the taxable year under Section 965(c) of the Internal Revenue Code, but only to the extent that the taxpayer included income pursuant to Section 965 of the Internal Revenue Code in its taxable income for federal income tax purposes or is required to add back dividends paid under subdivision (9).

(14) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.

(15) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(16) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(17) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(c) The following apply to taxable years beginning after December 31, 2018, for purposes of the add back of any deduction allowed on the taxpayer's federal income tax return for wagering taxes, as provided in subsection (a)(2) if the taxpayer is an individual or subsection (b)(3) if the taxpayer is a corporation:

(1) For taxable years beginning after December 31, 2018, and before January 1, 2020, a taxpayer is required to add back under this section eighty-seven and five-tenths percent (87.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(2) For taxable years beginning after December 31, 2019, and before January 1, 2021, a taxpayer is required to add back under this section seventy-five percent (75%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(3) For taxable years beginning after December 31, 2020, and before January 1, 2022, a taxpayer is required to add back under this section sixty-two and five-tenths percent (62.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(4) For taxable years beginning after December 31, 2021, and before January 1, 2023, a taxpayer is required to add back under this section fifty percent (50%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(5) For taxable years beginning after December 31, 2022, and before January 1, 2024, a taxpayer is required to add

back under this section thirty-seven and five-tenths percent (37.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(6) For taxable years beginning after December 31, 2023, and before January 1, 2025, a taxpayer is required to add back under this section twenty-five percent (25%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(7) For taxable years beginning after December 31, 2024, and before January 1, 2026, a taxpayer is required to add back under this section twelve and five-tenths percent (12.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(8) For taxable years beginning after December 31, 2025, a taxpayer is not required to add back under this section any amount of a deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(d) In the case of life insurance companies (as defined in Section 816(a) of the Internal Revenue Code) that are organized under Indiana law, the same as "life insurance company taxable income" (as defined in Section 801 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code (concerning charitable contributions).

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of

gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

- (8) Subtract income that is:
 - (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and
 - (B) included in the insurance company's taxable income under the Internal Revenue Code.
- (9) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.
- (10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.
- (11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.
- (12) For taxable years beginning after December 25, 2016, add:
 - (A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or
 - (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code.
- (13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.
- (14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(15) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(16) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(e) In the case of insurance companies subject to tax under Section 831 of the Internal Revenue Code and organized under Indiana law, the same as "taxable income" (as defined in Section 832 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code (concerning charitable contributions).

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue

Code in effect on January 1, 2017.

- (8) Subtract income that is:
 - (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and
 - (B) included in the insurance company's taxable income under the Internal Revenue Code.
- (9) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.
- (10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.
- (11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.
- (12) For taxable years beginning after December 25, 2016, add:
 - (A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or
 - (B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code.
- (13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.
- (14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.
- (15) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.
- (16) Add or subtract any other amounts the taxpayer is:
 - (A) required to add or subtract; or
 - (B) entitled to deduct;
 under IC 6-3-2.

(f) In the case of trusts and estates, "taxable income" (as defined for trusts and estates in Section 641(b) of the Internal

Revenue Code) adjusted as follows:

- (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.
- (2) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the federal adjusted gross income of the estate of a victim of the September 11 terrorist attack or a trust to the extent the trust benefits a victim of the September 11 terrorist attack.
- (3) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.
- (4) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).
- (5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:
 - (A) twenty-five thousand dollars (\$25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and
 - (B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:
 - (i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;
 - (ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and
 - (iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.
 The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.
- (6) Subtract income that is:
 - (A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and
 - (B) included in the taxpayer's taxable income under the Internal Revenue Code.
- (7) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount

included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(8) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(9) For taxable years beginning after December 25, 2016, add an amount equal to:

(A) the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1;

(B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code; and

(C) with regard to any amounts of income under Section 965 of the Internal Revenue Code distributed by the taxpayer, the deduction under Section 965(c) of the Internal Revenue Code attributable to such distributed amounts and not reported to the beneficiary.

For purposes of this article, the amount required to be added back under clause (B) is not considered to be distributed or distributable to a beneficiary of the estate or trust for purposes of Sections 651 and 661 of the Internal Revenue Code.

(10) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(11) Add an amount equal to the deduction for qualified business income that was claimed by the taxpayer for the taxable year under Section 199A of the Internal Revenue Code.

(12) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(13) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(g) Subsections (a)(26), (b)(17), (d)(16), (e)(16), or (f)(13) may not be construed to require an add back or allow a deduction or exemption more than once for a particular add back, deduction, or exemption.

(h) For taxable years beginning after December 25, 2016, if:

(1) a taxpayer is a shareholder, either directly or indirectly, in a corporation that is an E&P deficit foreign corporation as defined in Section 965(b)(3)(B) of the Internal Revenue Code, and the earnings and profit deficit, or a portion of the earnings and profit deficit, of the E&P deficit foreign corporation is permitted to reduce the federal adjusted gross income or federal taxable income of the taxpayer, the deficit, or the portion of the deficit, shall also reduce the amount taxable under this section to the extent permitted under the Internal Revenue Code, however, in no case shall this permit a reduction in the amount taxable

under Section 965 of the Internal Revenue Code for purposes of this section to be less than zero (0); and
(2) the Internal Revenue Service issues guidance that such an income or deduction is not reported directly on a federal tax return or is to be reported in a manner different than specified in this section, this section shall be construed as if federal adjusted gross income or federal taxable income included the income or deduction.

SECTION 62. IC 6-3-1-11, AS AMENDED BY P.L.146-2020, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021 (RETROACTIVE)]: Sec. 11. (a) The term "Internal Revenue Code" means the Internal Revenue Code of 1986 of the United States as amended and in effect on January 1, ~~2020~~; **2021**.

(b) Whenever the Internal Revenue Code is mentioned in this article, **or in another provision of the Indiana Code that cites to the definition of "Internal Revenue Code" provided in this section**, the particular provisions that are referred to, together with all the other provisions of the Internal Revenue Code in effect on January 1, ~~2020~~; **2021**, that pertain to the provisions specifically mentioned, shall be regarded as incorporated in this article by reference and have the same force and effect as though fully set forth in this article. **To the extent that a federal statute in the United States Code is enacted or amended in a title other than the Internal Revenue Code on or before January 1, 2021, and affects federal adjusted gross income, federal taxable income, federal tax credits, or other federal tax attributes, the federal statute shall be considered to be part of the Internal Revenue Code as amended and in effect on January 1, 2021. Such federal statutes include, but are not limited to, federal statutes enacted or amended in the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) and the federal Consolidated Appropriations Act, 2021 (P.L. 116-260).** To the extent:

(1) the provisions of the **Internal Revenue Code** apply to this article, regulations adopted under Section 7805(a) of the Internal Revenue Code, and in effect on January 1, ~~2020~~; **2021**; and

(2) **a federal statute in the United States Code that is enacted or amended in a title other than the Internal Revenue Code on or before January 1, 2021, and affects federal adjusted gross income, federal taxable income, federal tax credits, or other federal tax attributes applies to this article, regulations adopted under the federal statute of the United States Code and in effect on January 1, 2021;**

shall be regarded as rules adopted by the department under this article, unless the department adopts specific rules that supersede the regulation.

(c) An amendment to the Internal Revenue Code made by an act passed by Congress before January 1, ~~2020~~; **2021**, other than the federal 21st Century Cures Act (P.L. 114-255) and the federal Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115-63), that is effective for any taxable year that began before January 1, ~~2020~~; **2021**, and that affects:

(1) individual adjusted gross income (as defined in Section 62 of the Internal Revenue Code);

(2) corporate taxable income (as defined in Section 63 of the Internal Revenue Code);

(3) trust and estate taxable income (as defined in Section 641(b) of the Internal Revenue Code);

(4) life insurance company taxable income (as defined in Section 801(b) of the Internal Revenue Code);

(5) mutual insurance company taxable income (as defined in Section 821(b) of the Internal Revenue Code); or

(6) taxable income (as defined in Section 832 of the Internal Revenue Code);

is also effective for that same taxable year for purposes of determining adjusted gross income under section 3.5 of this chapter **and IC 6-5.5-1-2**.

(d) This subsection applies to a taxable year ending before January 1, 2013. The following provisions of the Internal Revenue Code that were amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312) are treated as though they were not amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312):

- (1) Section 1367(a)(2) of the Internal Revenue Code pertaining to an adjustment of basis of the stock of shareholders.
- (2) Section 871(k)(1)(C) and 871(k)(2)(C) of the Internal Revenue Code pertaining to the treatment of certain dividends of regulated investment companies.
- (3) Section 897(h)(4)(A)(ii) of the Internal Revenue Code pertaining to regulated investment companies qualified entity treatment.
- (4) Section 512(b)(13)(E)(iv) of the Internal Revenue Code pertaining to the modification of tax treatment of certain payments to controlling exempt organizations.
- (5) Section 613A(c)(6)(H)(ii) of the Internal Revenue Code pertaining to the limitations on percentage depletion in the case of oil and gas wells.
- (6) Section 451(i)(3) of the Internal Revenue Code pertaining to special rule for sales or dispositions to implement Federal Energy Regulatory Commission or state electric restructuring policy for qualified electric utilities.
- (7) Section 954(c)(6) of the Internal Revenue Code pertaining to the look-through treatment of payments between related controlled foreign corporation under foreign personal holding company rules.

The department shall develop forms and adopt any necessary rules under IC 4-22-2 to implement this subsection.

SECTION 63. IC 6-3.1-24-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 2.5. As used in this chapter, "qualified Indiana investment fund" means any private fund that meets the definition of a venture capital fund in 17 CFR 275.203(l)-1 and that is certified by the Indiana economic development corporation as provided in section 7.5 of this chapter.**

SECTION 64. IC 6-3.1-24-3, AS AMENDED BY P.L.193-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 3. As used in this chapter, "qualified investment capital" means debt or equity capital that is provided to a qualified Indiana business or a qualified Indiana investment fund after December 31, 2003. However, the term does not include debt that:**

- (1) is provided by a financial institution (as defined in IC 5-13-4-10) after May 15, 2005; and
- (2) is secured by a valid mortgage, security agreement, or other agreement or document that establishes a collateral or security position for the financial institution that is senior to all collateral or security interests of other taxpayers that provide debt or equity capital to the qualified Indiana business.

SECTION 65. IC 6-3.1-24-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 4.5. (a) As used in this chapter, "substantial presence" means:**

- (1) maintaining a company headquarters in Indiana; or
- (2) maintaining at least seventy-five percent (75%) of a company's total payroll in Indiana.

(b) Notwithstanding subsection (a), a company receiving qualified investment capital from a qualified Indiana investment fund shall be considered to have substantial presence in Indiana if the company commits to relocate:

- (1) its headquarters; or
- (2) seventy-five percent (75%) of its total payroll;

to Indiana within one (1) year of receiving qualified investment capital from a qualified Indiana investment fund.

SECTION 66. IC 6-3.1-24-6, AS AMENDED BY P.L.4-2005, SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 6. A taxpayer that:**

- (1) provides qualified investment capital to a qualified Indiana business **or a qualified Indiana investment fund;** and
- (2) fulfills the requirements of the Indiana economic development corporation under section 12.5 of this chapter;

is entitled to a credit against the ~~person's taxpayer's~~ state tax liability in a taxable year equal to the amount specified in section ~~10 8 or 8.5~~ of this chapter, **whichever is applicable.**

SECTION 67. IC 6-3.1-24-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 7.5. (a) The Indiana economic development corporation may certify that an investment fund is a qualified Indiana investment fund if the corporation determines that the fund meets the definition in section 2.5 of this chapter and the requirements in subsection (b).**

(b) The Indiana economic development corporation may only certify a fund as a qualified Indiana investment fund if the fund makes investments according to a policy that:

- (1) requires eligible companies to be primarily focused on the commercialization of research and development, technology transfer, or application of new technology; and
- (2) prioritizes investments in companies that:
 - (A) have received a grant, loan, or other investment funds provided by the Indiana twenty-first century research and technology fund established by IC 5-28-16-2; or
 - (B) maintain a substantial presence in Indiana.

(c) An investment fund must apply to be certified as a qualified Indiana investment fund on a form prescribed by the Indiana economic development corporation.

(d) If an investment fund is certified as a qualified Indiana investment fund under this section, the Indiana economic development corporation shall provide a copy of the certification to the investors in the qualified Indiana investment fund for inclusion in tax filings.

SECTION 68. IC 6-3.1-24-8, AS AMENDED BY P.L.172-2011, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 8. (a) A certification provided under section 7 of this chapter must include notice to the investors of the maximum amount of tax credits available under this chapter for the provision of qualified investment capital to the qualified Indiana business.**

(b) For a calendar year ending before January 1, 2011, the maximum amount of tax credits available under this chapter for the provision of qualified investment capital to a particular qualified Indiana business equals the lesser of:

- (1) the total amount of qualified investment capital provided to the qualified Indiana business in the calendar year, multiplied by twenty percent (20%); or
- (2) five hundred thousand dollars (\$500,000).

(c) For a calendar year beginning after December 31, 2010, and ending before January 1, 2022, the maximum amount of tax credits available under this chapter for the provision of qualified investment capital to a particular qualified Indiana business equals the lesser of the following:

- (1) The total amount of qualified investment capital provided to the qualified Indiana business in the calendar year, multiplied by twenty percent (20%).
- (2) One million dollars (\$1,000,000).

(d) For a calendar year beginning after December 31, 2021, the maximum amount of tax credits available under

this chapter for the provision of qualified investment capital to a particular qualified Indiana business equals the lesser of the following:

- (1) The total amount of qualified investment capital provided to the qualified Indiana business in the calendar year, multiplied by twenty-five percent (25%).
- (2) One million dollars (\$1,000,000).

(e) Notwithstanding subsection (d), for a calendar year beginning after December 31, 2021, the maximum amount of tax credits available under this chapter for the provision of qualified investment capital to a particular qualified Indiana business, if the qualified Indiana business is a minority business enterprise or a women's business enterprise, equals the lesser of the following:

- (1) The total amount of qualified investment capital provided to the qualified Indiana business in the calendar year, multiplied by thirty percent (30%).
- (2) One million five hundred thousand dollars (\$1,500,000).

SECTION 69. IC 6-3.1-24-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 8.5. (a) A certification provided under section 7.5 of this chapter must include notice to investors of the maximum amount of tax credits available under this chapter for the provision of qualified investment capital to the qualified Indiana investment fund.**

(b) The maximum amount of tax credits available under this chapter for the provision of qualified investment capital to a qualified Indiana investment fund equals the lesser of the following:

- (1) The total amount of qualified investment capital provided to the qualified Indiana investment fund in the calendar year, multiplied by twenty percent (20%).**
- (2) Five million dollars (\$5,000,000).**

SECTION 70. IC 6-3.1-24-9 IS REPEALED [EFFECTIVE JANUARY 1, 2022]. **Sec. 9: The total amount of tax credits that may be approved by the corporation under this chapter in a particular calendar year for qualified investment capital provided during that calendar year may not exceed twelve million five hundred thousand dollars (\$12,500,000). An amount of an unused credit carried over by a taxpayer from a previous calendar year may not be considered in determining the amount of proposed investments that the Indiana economic development corporation may certify under this chapter.**

SECTION 71. IC 6-3.1-24-10 IS REPEALED [EFFECTIVE JANUARY 1, 2022]. **Sec. 10: Subject to sections 8 and 13 of this chapter, the amount of the credit to which a taxpayer is entitled under section 6 this chapter equals the product of:**

- (1) twenty percent (20%); multiplied by**
- (2) the amount of the qualified investment capital provided to a qualified Indiana business by the taxpayer in the taxable year.**

SECTION 72. IC 6-3.1-24-12, AS AMENDED BY P.L.158-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 12. (a) If the amount of the credit determined under section 10 or 8.5 of this chapter for a taxpayer in a taxable year exceeds the taxpayer's state tax liability for that taxable year, the taxpayer may carry the excess credit over for a period not to exceed the taxpayer's following five (5) taxable years. The amount of the credit carryover from a taxable year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this chapter for any subsequent taxable year. A taxpayer is not entitled to a carryback or a refund of any unused credit amount.**

(b) If the corporation certifies a credit for an investment that is made after June 30, 2020, and before July 1, 2029, the taxpayer may assign all or part of the credit to which the taxpayer is entitled under this chapter, subject to the limitations

set forth in subsection (c).

(c) The following apply to the assignment of a credit under this chapter:

- (1) A taxpayer may not assign all or part of a credit or credits to a particular person in amounts that are less than ten thousand dollars (\$10,000).
- (2) Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of the credit in the manner prescribed by the corporation.
- (3) An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the assignment on the taxpayer's and assignee's state tax returns for the year in which the assignment is made, in the manner prescribed by the department.
- (4) Once a particular credit or credits are assigned, the assignee may not assign all or part of the credit or credits to another person.
- (5) A taxpayer may not receive value in connection with an assignment under this section that exceeds the value of that part of the credit assigned.

(d) The corporation shall collect and compile data on the assignments of tax credits under this chapter and determine the effectiveness of each assignment in getting projects completed. The corporation shall report its findings under this subsection to the legislative council in an electronic format under IC 5-14-6 before November 1, 2022. This subsection expires January 1, 2023.

SECTION 73. IC 6-3.1-24-12.5, AS AMENDED BY P.L.193-2005, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: **Sec. 12.5. (a) A taxpayer wishing to obtain a credit under this chapter must apply to the Indiana economic development corporation for a certification that the taxpayer's proposed investment plan would qualify for a credit under this chapter.**

(b) The application required under subsection (a) must include:

- (1) the name and address of the taxpayer;
- (2) the name and address of each proposed recipient of the taxpayer's proposed investment;
- (3) the amount of the proposed investment;
- (4) a copy of the certification issued under section 7 or 7.5 of this chapter that the proposed recipient is a qualified Indiana business **or qualified Indiana investment fund, whichever is applicable;** and
- (5) any other information required by the Indiana economic development corporation.

(c) If the Indiana economic development corporation determines that

- (1) the proposed investment would qualify the taxpayer for a credit under this chapter, **and**
- (2) **the amount of the proposed investment would not result in the total amount of tax credits certified for the calendar year exceeding twelve million five hundred thousand dollars (\$12,500,000);**

the corporation ~~shall~~ **may** certify the taxpayer's proposed investment plan.

(d) To receive a credit under this chapter, the taxpayer must provide qualified investment capital to a qualified Indiana business **or qualified Indiana investment fund, whichever is applicable,** according to the taxpayer's certified investment plan within two (2) years after the date on which the Indiana economic development corporation certifies the investment plan.

(e) Upon making the investment required under subsection (d), the taxpayer shall provide proof of the investment to the Indiana economic development corporation.

(f) Upon receiving proof of a taxpayer's investment under subsection (e), the Indiana economic development corporation shall issue the taxpayer a certificate indicating that the taxpayer has fulfilled the requirements of the corporation and that the

taxpayer is entitled to a credit under this chapter.

(g) Notwithstanding subsection (f), if a taxpayer is issued a certificate by the Indiana economic development corporation for an investment made in a qualified Indiana investment fund, a taxpayer may not claim the credit as provided in section 13 of this chapter before July 1, 2023.

(g)(h) A taxpayer forfeits the right to a tax credit attributable to an investment certified under subsection (c) if the taxpayer fails to make the proposed investment within the period required under subsection (d).

SECTION 74. IC 6-3.1-24-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2022]: Sec. 15. **(a) Before January 1, 2022, the total amount of credits that may be awarded by the Indiana economic development corporation under this chapter for investment plans certified as provided in section 12.5 of this chapter that propose investing qualified investment capital in a particular qualified Indiana business during a particular calendar year is twelve million five hundred thousand dollars (\$12,500,000).**

(b) After December 31, 2021, the total amount of credits that may be awarded by the Indiana economic development corporation under this chapter for investment plans certified as provided in section 12.5 of this chapter that propose investing qualified investment capital in a particular qualified Indiana business or qualified Indiana investment fund during a particular calendar year is twenty million dollars (\$20,000,000), provided that not more than seven million five hundred thousand dollars (\$7,500,000) may be awarded for proposed investments of qualified investment capital in a qualified Indiana investment fund.

SECTION 75. IC 6-3.1-30.5-13, AS AMENDED BY P.L.108-2019, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 13. **(a) The total amount of tax credits awarded under this chapter may not exceed nine million five hundred thousand dollars (\$9,500,000) in the state fiscal year beginning July 1, 2016, and ending June 30, 2017.**

(b) The total amount of tax credits awarded under this chapter in a state fiscal year may not exceed the following:

- (1) Twelve million five hundred thousand dollars (\$12,500,000) for the state fiscal year beginning July 1, 2017, and ending June 30, 2018.**
- (2) Fourteen million dollars (\$14,000,000) for the state fiscal year beginning July 1, 2018, and ending June 30, 2019.**
- (3) Fifteen million dollars (\$15,000,000) for the state fiscal year beginning July 1, 2019, and ending June 30, 2020.**
- (4) Sixteen million five hundred thousand dollars (\$16,500,000) for each the state fiscal year beginning after June 30, 2020: July 1, 2020, and ending June 30, 2021.**
- (5) Eighteen million dollars (\$18,000,000) for the state fiscal year beginning July 1, 2021, and ending June 30, 2022.**
- (6) Nineteen million dollars (\$19,000,000) for each state fiscal year beginning after June 30, 2022.**

SECTION 76. IC 6-6-13-15, AS AMENDED BY P.L.218-2017, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 15. The department shall transfer aviation fuel excise taxes collected under this chapter to the treasurer of state for deposit **as follows:**

- (1) Before July 1, 2017, in the state general fund. and**
- (2) After June 30, 2017, and before July 1, 2021, as follows:**
 - (A) Fifty percent (50%) in the state general fund.**
 - (B) Fifty percent (50%) in the airport development grant fund established by IC 8-21-11-4.**
- (3) After June 30, 2021, in the airport development grant fund established by IC 8-21-11-4.**

SECTION 77. IC 6-7-1-0.4, AS ADDED BY P.L.220-2011, SECTION 161, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 0.4. **(a) Notwithstanding section 14 of this chapter, revenue stamps paid for before July 1, 2007, and in the possession of a distributor may be used after June 30, 2007, only if the full amount of the tax imposed by section 12 of this chapter, as effective after June 30, 2007, and as amended by P.L.218-2007, is remitted to the department under the procedures prescribed by the department.**

(b) Notwithstanding section 14 of this chapter, revenue stamps paid for before July 1, 2021, and in possession of a distributor may be used after June 30, 2021, only if the full amount of the tax imposed under section 12 of this chapter, as amended and effective after June 30, 2021, is remitted to the department under the procedures prescribed by the department.

SECTION 78. IC 6-7-1-12, AS AMENDED BY P.L.191-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 12. The following taxes are imposed, and shall be collected and paid as provided in this chapter, upon the sale, exchange, bartering, furnishing, giving away, or otherwise disposing of cigarettes within the state of Indiana:

- (1) On cigarettes weighing not more than three (3) pounds per thousand (1,000), a tax at the rate of ~~four and nine hundred seventy-five thousandths cents (\$0.04975)~~ seven and five-tenths cents (\$0.075) per individual cigarette.**
- (2) On cigarettes weighing more than three (3) pounds per thousand (1,000), a tax at the rate of ~~six and six hundred twelve thousandths cents (\$0.06612)~~ ten cents (\$0.10) per individual cigarette, except that if any cigarettes weighing more than three (3) pounds per thousand (1,000) shall be more than six and one-half (6 1/2) inches in length, they shall be taxable at the rate provided in subdivision (1), counting each two and three-fourths (2 3/4) inches (or fraction thereof) as a separate cigarette.**

SECTION 79. IC 6-7-1-28.1, AS AMENDED BY P.L.213-2015, SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 28.1. The taxes, registration fees, fines, or penalties collected under this chapter shall be deposited in the following manner:

- (1) ~~Four and twenty-two hundredths percent (4.22%)~~ Three and eleven hundredths percent (3.11%) of the money shall be deposited in a fund to be known as the cigarette tax fund.**
- (2) ~~Six-tenths percent (0.6%)~~ Forty-four hundredths percent (0.44%) of the money shall be deposited in a fund to be known as the mental health centers fund.**
- (3) The following amount of the money shall be deposited in the state general fund:**
 - (A) After June 30, 2011, and before July 1, 2013, sixty and twenty-four hundredths percent (60.24%).**
 - (B) After June 30, 2013, and before July 1, 2021, fifty-six and twenty-four hundredths percent (56.24%).**
 - (C) After June 30, 2021, forty-one and five-tenths percent (41.5%).**
- (4) ~~Five and forty-three hundredths percent (5.43%)~~ Four and one hundredths percent (4.01%) of the money shall be deposited into the pension relief fund established in IC 5-10.3-11.**
- (5) ~~Twenty-seven and five hundredths percent (27.05%)~~ Nineteen and ninety-six hundredths percent (19.96%) of the money shall be deposited in the healthy Indiana plan trust fund established by IC 12-15-44.2-17.**
- (6) ~~Two and forty-six hundredths percent (2.46%)~~ Twenty-eight and three hundredths percent (28.03%) of the money shall be deposited in the state general fund for the purpose of paying appropriations for Medicaid—Current Obligations, for provider reimbursements.**

(7) The following amount of the money shall be deposited in the state retiree health benefit trust fund established by IC 5-10-8-8.5 as follows:

(A) Before July 1, 2011, five and seventy-four hundredths percent (5.74%).

(B) After June 30, 2011, and before July 1, 2013, zero percent (0%).

(C) After June 30, 2013, and before July 1, 2021, four percent (4%).

(D) After June 30, 2021, two and ninety-five hundredths percent (2.95%).

The money in the cigarette tax fund, the mental health centers fund, the healthy Indiana plan trust fund, or the pension relief fund at the end of a fiscal year does not revert to the state general fund. However, if in any fiscal year, the amount allocated to a fund under subdivision (1) or (2) is less than the amount received in fiscal year 1977, then that fund shall be credited with the difference between the amount allocated and the amount received in fiscal year 1977, and the allocation for the fiscal year to the fund under subdivision (3) shall be reduced by the amount of that difference. Money deposited under subdivisions (6) through (7) may not be used for any purpose other than the purpose stated in the subdivision.

SECTION 80. IC 6-7-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 4. Electronic Cigarette Tax

Sec. 1. As used in this chapter, "consumable material" means any liquid solution or other material that is depleted as a vapor product is used.

Sec. 2. As used in this chapter, "department" means the department of state revenue and includes its employees and agents.

Sec. 3. As used in this chapter, "gross retail income" has the meaning set forth in IC 6-2.5-1-5, except that the term does not include taxes imposed under IC 6-2.5 or the excise tax imposed under this chapter.

Sec. 4. As used in this chapter, "person" has the meaning set forth in IC 6-7-1-4.

Sec. 5. As used in this chapter, "retail dealer" means a person engaged in the selling of consumable material, vapor products, or both to ultimate consumers.

Sec. 6. As used in this chapter, "vapor product" means either of the following:

(1) A device, such as an electronic cigarette, that employs a mechanical heating element, battery, or electronic circuit, regardless of shape or size, that can be used to produce vapor from a consumable material that may or may not be sold with the device.

(2) Any vapor cartridge or other container of a consumable material in a solution or other form that is intended to be used with or in a device described in subdivision (1).

Sec. 7. (a) An excise tax, known as the electronic cigarette tax, is imposed on the retail sale of consumable material and vapor products in Indiana.

(b) The electronic cigarette tax equals ten percent (10%) of the gross retail income received by the retail dealer for the sale.

(c) The person who acquires consumable material or vapor products in a retail transaction is liable for the tax on the transaction, and, except as otherwise incorporated in this chapter, shall pay the tax to the retail dealer as a separate added amount to the consideration in the transaction. A retail dealer that either:

(1) has a physical presence in Indiana, as described in IC 6-2.5-2-1(c); or

(2) meets one (1) or both of the thresholds in IC 6-2.5-2-1(d);

shall collect and remit the tax as an agent for the state.

(d) If the tax is not collected by the retail dealer, the

consumer is responsible to remit the tax to the department. A retail dealer that is required to collect and remit tax under this chapter is jointly and severally liable for uncollected tax absent proof of exemption or payment by the purchaser.

(e) Before the fifteenth day of each month, each retail dealer liable for the collection and remittance of the tax imposed by this chapter shall:

(1) file a return with the department that includes all information required by the department including, but not limited to:

(A) the name of the retail dealer;

(B) the address of the retail dealer; and

(C) the certificate number of the retail dealer's electronic cigarette retail dealer's certificate; and

(2) pay the tax for which it is liable under this chapter for the preceding month.

All returns required to be filed and taxes required to be paid under this chapter must be made in an electronic format prescribed by the department.

(f) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration apply to the imposition and administration of the tax imposed under this section, except to the extent such provisions are in conflict or inconsistent with the specific provisions of this chapter.

(g) A marketplace facilitator (as defined in IC 6-2.5-1-21.9) who is considered a retail merchant under IC 6-2.5-4-18 for a transaction to which this chapter applies shall collect and remit electronic cigarette taxes imposed on the retail transaction.

Sec. 8. (a) It is unlawful for any retail dealer to sell consumable material or vapor products in Indiana unless the retail dealer has a valid electronic cigarette retail dealer's certificate issued by the department.

(b) The department shall issue certificates to applicants that qualify under this section. A certificate issued under this section is valid for one (1) year unless revoked or suspended by the department and is not transferable. An electronic cigarette retail dealer's certificate may be revoked or suspended by the department in the same manner, for the same reasons, and is subject to the same procedures as for the revocation or suspension of a retail merchant's certificate under IC 6-2.5-8-7.

(c) An applicant for a certificate under this section must submit proof to the department of the appointment of an agent for service of process in Indiana if the applicant is:

(1) an individual whose principal place of residence is outside Indiana; or

(2) a person, other than an individual, that has its principal place of business outside Indiana.

(d) To obtain or renew a certificate under this section, a person must:

(1) submit, for each location where it intends to distribute consumable material or vapor products, an application that includes all information required by the department;

(2) pay a fee of twenty-five dollars (\$25) at the time of application; and

(3) at the time of application, post a bond, issued by a surety company approved by the department, in an amount not less than one thousand dollars (\$1,000) and conditioned on the applicant's compliance with this chapter.

(e) If business is transacted at two (2) or more places by one (1) retail dealer, a separate certificate must be obtained for each place of business.

(f) Each certificate must be numbered, show the name and address of the retail dealer, and be posted in a conspicuous place at the place of business for which it is issued.

(g) If the department determines that a bond provided by a certificate is inadequate, the department may require a new bond in the amount necessary to fully protect the state.

Sec. 9. A retail dealer that sells consumable material or vapor products in Indiana without having obtained an electronic cigarette retail dealer's certificate, or after the retail dealer's certificate has been revoked or suspended by the department, commits a Class A misdemeanor.

Sec. 10. An individual who:

(1) is an individual retail dealer or an employee, an officer, or a member of a corporate or partnership retail dealer; and

(2) has a duty to remit electronic cigarette taxes to the department;

holds those taxes in trust for the state and is personally liable for the payment of those taxes, plus any penalties and interest attributable to those taxes, to the state. If the individual knowingly fails to collect or remit those taxes to the state, the individual commits a Level 6 felony.

Sec. 11. All revenue from the tax imposed by this chapter must be deposited in the state general fund.

Sec. 12. The department may adopt rules under IC 4-22-2 necessary to enforce this chapter, including emergency rules under IC 4-22-2-37.1.

SECTION 81. IC 6-8.1-1-1, AS AMENDED BY P.L.156-2020, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. "Listed taxes" or "taxes" includes only the pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5); the supplemental wagering tax (IC 4-33-12); the riverboat wagering tax (IC 4-33-13); the slot machine wagering tax (IC 4-35-8); the type II gambling game excise tax (IC 4-36-9); the gross income tax (IC 6-2.1) (repealed); the utility receipts and utility services use taxes (IC 6-2.3); the state gross retail and use taxes (IC 6-2.5); the adjusted gross income tax (IC 6-3); the supplemental net income tax (IC 6-3-8) (repealed); the county adjusted gross income tax (IC 6-3.5-1.1) (repealed); the county option income tax (IC 6-3.5-6) (repealed); the county economic development income tax (IC 6-3.5-7) (repealed); the local income tax (IC 6-3.6); the auto rental excise tax (IC 6-6-9); the financial institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); the special fuel tax (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor fuel tax collected under a reciprocal agreement under IC 6-8.1-3; the vehicle excise tax (IC 6-6-5); the aviation fuel excise tax (IC 6-6-13); the commercial vehicle excise tax (IC 6-6-5.5); the excise tax imposed on recreational vehicles and truck campers (IC 6-6-5.1); the hazardous waste disposal tax (IC 6-6-6.6) (repealed); the heavy equipment rental excise tax (IC 6-6-15); the vehicle sharing excise tax (IC 6-6-16); the cigarette tax (IC 6-7-1); **the electronic cigarette tax (IC 6-7-4)**; the beer excise tax (IC 7.1-4-2); the liquor excise tax (IC 7.1-4-3); the wine excise tax (IC 7.1-4-4); the hard cider excise tax (IC 7.1-4-4.5); the petroleum severance tax (IC 6-8-1); the various innkeeper's taxes (IC 6-9); the various food and beverage taxes (IC 6-9); the county admissions tax (IC 6-9-13 and IC 6-9-28); the oil inspection fee (IC 16-44-2); the penalties assessed for oversize vehicles (IC 9-20-3 and IC 9-20-18); the fees and penalties assessed for overweight vehicles (IC 9-20-4 and IC 9-20-18); and any other tax or fee that the department is required to collect or administer.

SECTION 82. IC 6-8.1-3-16, AS AMENDED BY P.L.234-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 16. (a) The department shall prepare a list of all outstanding tax warrants for listed taxes each month. The list shall identify each taxpayer liable for a warrant by name, address, amount of tax, and either Social Security number or employer identification number. Unless the department renews the warrant, the department shall exclude from the list a warrant issued more than ten (10) years before the date of the list. The department shall certify a copy of the list to the bureau of motor vehicles.

(b) The department shall prescribe and furnish tax release forms for use by tax collecting officials. A tax collecting official who collects taxes in satisfaction of an outstanding warrant shall issue to the taxpayers named on the warrant a tax release stating that the tax has been paid. The department may also issue a tax release:

(1) to a taxpayer who has made arrangements satisfactory to the department for the payment of the tax; or

(2) by action of the commissioner under IC 6-8.1-8-2(k).

(c) The department may not issue or renew:

(1) a certificate under IC 6-2.5-8 **or IC 6-7-4**;

(2) a license under IC 6-6-1.1 or IC 6-6-2.5; or

(3) a permit under IC 6-6-4.1;

to a taxpayer whose name appears on the most recent monthly warrant list, unless that taxpayer pays the tax, makes arrangements satisfactory to the department for the payment of the tax, or a release is issued under IC 6-8.1-8-2(k).

(d) The bureau of motor vehicles shall, before issuing the title to a motor vehicle under IC 9-17, determine whether the purchaser's or assignee's name is on the most recent monthly warrant list. If the purchaser's or assignee's name is on the list, the bureau shall enter as a lien on the title the name of the state as the lienholder unless the bureau has received notice from the commissioner under IC 6-8.1-8-2(k). The tax lien on the title:

(1) is subordinate to a perfected security interest (as defined and perfected in accordance with IC 26-1-9.1); and

(2) shall otherwise be treated in the same manner as other title liens.

(e) The commissioner is the custodian of all titles for which the state is the sole lienholder under this section. Upon receipt of the title by the department, the commissioner shall notify the owner of the department's receipt of the title.

(f) The department shall reimburse the bureau of motor vehicles for all costs incurred in carrying out this section.

(g) Notwithstanding IC 6-8.1-8, a person who is authorized to collect taxes, interest, or penalties on behalf of the department under IC 6-3 or IC 6-3.6 may not, except as provided in subsection (h) or (i), receive a fee for collecting the taxes, interest, or penalties if:

(1) the taxpayer pays the taxes, interest, or penalties as consideration for the release of a lien placed under subsection (d) on a motor vehicle title; or

(2) the taxpayer has been denied a certificate or license under subsection (c) within sixty (60) days before the date the taxes, interest, or penalties are collected.

(h) In the case of a sheriff, subsection (g) does not apply if:

(1) the sheriff collects the taxes, interest, or penalties within sixty (60) days after the date the sheriff receives the tax warrant; or

(2) the sheriff collects the taxes, interest, or penalties through the sale or redemption, in a court proceeding, of a motor vehicle that has a lien placed on its title under subsection (d).

(i) In the case of a person other than a sheriff:

(1) subsection (g)(2) does not apply if the person collects the taxes, interests, or penalties within sixty (60) days after the date the commissioner employs the person to make the collection; and

(2) subsection (g)(1) does not apply if the person collects the taxes, interest, or penalties through the sale or redemption, in a court proceeding, of a motor vehicle that has a lien placed on its title under subsection (d).

(j) IC 5-14-3-4, IC 6-8.1-7-1, and any other law exempting information from disclosure by the department do not apply to this subsection. The department shall prepare a list of retail merchants whose registered retail merchant certificate has not been renewed under IC 6-2.5-8-1(h) or whose registered retail merchant certificate has been revoked under IC 6-2.5-8-7 **or whose electronic cigarette retail dealer's certificate has been**

revoked or suspended under IC 6-7-4-8. The list compiled under this subsection must identify each retail merchant by name (including any name under which the retail merchant is doing business), address, and county. The department shall publish the list compiled under this subsection on the department's Internet web site (as operated under IC 4-13.1-2) and make the list available for public inspection and copying under IC 5-14-3. The department or an agent, employee, or officer of the department is immune from liability for the publication of information under this subsection.

SECTION 83. IC 6-8.1-3-25, AS AMENDED BY P.L.10-2019, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. Notwithstanding any other law, the department shall deposit the amounts collected under a tax amnesty program carried out under section 17 of this chapter after June 30, 2015, as follows:

- (1) County income tax collected under IC 6-3.5-1.1, IC 6-3.5-6, or IC 6-3.5-7 (all repealed January 1, 2017) shall be distributed to counties in the same manner as otherwise provided by the appropriate chapter of the Indiana Code.
- (2) Eight percent (8%) of inheritance tax collected for resident decedents shall be distributed to counties in the manner provided under IC 6-4.1-9-6.
- (3) County innkeeper's tax collected shall be deposited as required by IC 6-9.
- (4) County and municipal food and beverage tax collected shall be deposited as required by IC 6-9.
- (5) County admissions taxes collected shall be deposited as required by IC 6-9-13 and IC 6-9-28.
- (6) Aircraft license excise tax collected shall be deposited as required by IC 6-6-6.5-21.
- (7) Auto rental excise tax collected shall be deposited as required by IC 6-6-9-11.
- (8) Supplemental auto rental excise tax shall be deposited as otherwise required by the appropriate chapter of the Indiana Code.
- (9) Financial institutions tax collected shall be deposited as required by IC 6-5.5-8-2.
- (10) After making the deposits required under subdivisions (1) through (9), the first eighty-four million dollars (\$84,000,000) collected must be deposited into the Indiana regional cities development fund established by IC 5-28-38-2 **(before its repeal)**.
- (11) After making the deposits required under subdivisions (1) through (10), the next six million dollars (\$6,000,000) collected shall be transferred to the Indiana department of transportation to reimburse the Indiana department of transportation for money expended by the Indiana department of transportation under IC 8-23-2-18.5 (before its expiration) for the operation of the Hoosier State Rail Line. However, the total amount transferred under this subdivision to the Indiana department of transportation may not exceed the lesser of:
 - (A) six million dollars (\$6,000,000); or
 - (B) the total amount expended by the Indiana department of transportation under IC 8-23-2-18.5 (before its expiration) for the operation of the Hoosier State Rail Line after June 30, 2015, and before July 1, 2017.
- (12) After making the deposits required under subdivisions (1) through (11), the next forty-two million dollars (\$42,000,000) collected must be deposited into the Indiana regional cities development fund established by IC 5-28-38-2 **(before its repeal)**. The amount deposited under this subdivision is appropriated to the Indiana economic development corporation for the purposes of the Indiana regional cities development fund.
- (13) After making the deposits required under subdivisions (1) through (12), the next twenty-nine million eight

hundred seventy thousand dollars (\$29,870,000) shall be transferred as follows:

- (A) Eight million seven hundred thousand dollars (\$8,700,000) to the Indiana public retirement system for credit to the Indiana public employees' retirement fund established by IC 5-10.3-2-1.
- (B) Twenty million seven hundred thousand dollars (\$20,700,000) to the Indiana public retirement system for credit to the pre-1996 account of the Indiana state teachers' retirement fund established by IC 5-10.4-2-1.
- (C) Seventy thousand dollars (\$70,000) to the Indiana public retirement system for credit to the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan established by IC 5-10.5-5-2.
- (D) Two hundred thousand dollars (\$200,000) to the treasurer of state for credit to the trust fund under IC 10-12-1-11 for the state police pre-1987 benefit system.
- (E) Two hundred thousand dollars (\$200,000) to the treasurer of state for credit to the trust fund under IC 10-12-1-11 for the state police 1987 benefit system.

The amounts transferred under this subdivision shall be used to pay costs that must be paid for any thirteen check payments or similar supplemental check payments that are enacted by the general assembly and made to the members and beneficiaries of a public pension plan under HEA 1161-2016. The amounts transferred under this subdivision are appropriated for the purposes of this subdivision.

(14) After making the deposits required under subdivisions (1) through (13), the next ten million dollars (\$10,000,000) shall be deposited into the next generation Hoosier educators scholarship fund established by IC 21-12-16-3.

(15) Any remaining amounts collected must be deposited into the state general fund.

SECTION 84. IC 7.1-4-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. The department shall deposit:

- (1) four cents (\$0.04) of the beer excise tax rate collected on each gallon of beer or flavored malt beverage;
- (2) one dollar (\$1) of the liquor excise tax rate collected on each gallon of liquor;
- (3) ~~twenty cents (\$0.20)~~ **twenty-five cents (\$0.25)** of the wine excise tax rate collected on each gallon of wine;
- (4) the entire amount of malt excise tax collected; and
- (5) the entire amount of hard cider excise tax collected;

daily with the treasurer of state and not later than the fifth day of the following month shall cover them into the general fund of the state for distribution as provided in this chapter.

SECTION 85. IC 7.1-4-9-4, AS AMENDED BY P.L.224-2005, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. ~~Thirty-seven percent (37%)~~ **Twenty-two percent (22%)** of the money in the excise fund shall be deposited in the state general fund on the first day of June and the first day of December of each year.

SECTION 86. IC 7.1-4-9-7.5, AS ADDED BY P.L.224-2005, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 7.5. ~~Thirty percent (30%)~~ **Forty-five percent (45%)** of the money in the excise fund shall be deposited in the enforcement and administration fund under IC 7.1-4-10 on the first day of June and the first day of December of each year.

SECTION 87. IC 7.1-4-11-5 IS REPEALED [EFFECTIVE JULY 1, 2021]. ~~Sec. 5: The department shall deposit in the wine grape market development fund created under IC 7.1-4-13 five cents (\$0.05) of the wine excise tax rate collected on each gallon of wine under IC 7.1-4-4.~~

SECTION 88. IC 8-15.5-1-2, AS AMENDED BY

P.L.9-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) This article contains full and complete authority for public-private agreements between the authority, a private entity, and, where applicable, a governmental entity. Except as provided in this article, no law, procedure, proceeding, publication, notice, consent, approval, order, or act by the authority or any other officer, department, agency, or instrumentality of the state or any political subdivision is required for the authority to enter into a public-private agreement with a private entity under this article, or for a project that is the subject of a public-private agreement to be constructed, acquired, maintained, repaired, operated, financed, transferred, or conveyed.

(b) Before the authority or the department may issue a request for proposals for or enter into a public-private agreement under this article that would authorize an operator to impose ~~tolls~~ **user fees** for the operation of motor vehicles on all or part of a toll road project, the general assembly must adopt a statute authorizing the imposition of ~~tolls~~ **user fees**. However, ~~during the period beginning July 1, 2011, and ending June 30, 2021, and notwithstanding subsection (c),~~ the general assembly is not required to enact a statute authorizing the authority or the department to issue a request for proposals or enter into a public-private agreement to authorize an operator to impose ~~tolls~~ **user fees** for the operation of motor vehicles on all or part of the following projects:

- (1) A project on which construction begins after June 30, 2011, not including any part of Interstate Highway 69 other than a part described in subdivision (4).
- (2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.
- (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in northwestern Indiana with an interstate highway in Illinois.
- (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and that connects the state of Indiana with the commonwealth of Kentucky.

However, neither the authority nor the department may issue a request for proposals for a public-private agreement under this article that would authorize an operator to impose ~~tolls~~ **user fees** unless the budget committee has reviewed the request for proposals.

(c) ~~Before~~ **Except as provided in subsection (b), before** the authority or an operator may carry out any of the following activities under this article, the general assembly must enact a statute authorizing that activity:

- (1) Imposing ~~tolls~~ **user fees** on motor vehicles for use of Interstate Highway 69.
- (2) Imposing ~~tolls~~ **user fees** on motor vehicles for use of a nontolled highway, roadway, or other facility in existence or under construction on July 1, 2011, including nontolled interstate highways, U.S. routes, and state routes.

(d) The general assembly is not required to enact a statute authorizing the authority or the department to issue a request for proposals or enter into a public-private agreement for a freeway project.

(e) The authority may enter into a public-private agreement for a facility project if the general assembly, by statute, authorizes the authority to enter into a public-private agreement for the facility project.

(f) As permitted by subsection (e), the general assembly authorizes the authority to enter into public-private agreements for a state park inn and related improvements in an existing state park located in a county with a population of more than two hundred thousand (200,000) and less than three hundred thousand (300,000).

SECTION 89. IC 8-15.5-6-3, AS AMENDED BY P.L.205-2013, SECTION 158, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The operator or any contractor or subcontractor of the operator engaged in the construction of a project is subject to:

- (1) the provisions of 25 IAC 5 concerning equal opportunities for minority business enterprises and women's business enterprises to participate in procurement and contracting processes **or as required by federal law;** and
- (2) the provisions that may be established by the authority in a public-private agreement with respect to awarding contracts to Indiana businesses (as defined in IC 5-22-15-20.5).

SECTION 90. IC 8-15.7-1-5, AS AMENDED BY P.L.94-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This article contains full and complete authority for agreements and leases with private entities to carry out the activities described in this article. Except as provided in this article, no procedure, proceeding, publication, notice, consent, approval, order, or act by the authority, the department, or any other state or local agency or official is required **for the department** to enter into ~~an~~ **a public-private agreement or lease; with a private entity under this article for a project to be constructed, maintained, repaired, or operated,** and no law to the contrary affects, limits, or diminishes the authority for agreements and leases with private entities, except as provided by this article. However, this article may not be construed to:

- (1) limit the power of the authority, the department, or a private entity to enter an agreement; or
- (2) impose any procedural or substantive requirements on the authority, the department, or a private entity; concerning a project (as defined by IC 8-15.5-2-7) carried out under IC 8-15.5.

(b) Notwithstanding any other law, **and except as provided in subsection (d),** before the department, the authority, or an operator may ~~carry out any of the following activities under this article; the general assembly must enact a statute authorizing that activity:~~ **enter into public-private agreements that impose user fees on motor vehicles for use of:**

- (1) Subject to subsection (d); and after June 30, 2011, issuing a request for proposals for, or entering into, a public-private agreement concerning a project;
- (2) Imposing user fees on motor vehicles for use of Interstate Highway 69;
- (1) Interstate Highway 69; or
- (2) nontolled highways, roadways, or other facilities in existence or under construction on July 1, 2011, including nontolled interstate highways, U.S. routes, and state routes;

the general assembly must enact a statute authorizing that activity.

(c) Notwithstanding ~~subsection (b)~~ or any other law, the department or the authority may enter into a public-private agreement concerning a project consisting of a passenger or freight railroad system described in IC 8-15.7-2-14(a)(4). Such an agreement is subject to review and appropriation by the general assembly. However, this subsection does not prohibit the department from:

- (1) conducting preliminary studies that the department considers necessary to determine the feasibility of such a project; or
- (2) issuing a request for qualifications or a request for proposals, or both, under IC 8-15.7-4 for such a project.

(d) ~~Notwithstanding subsection (b); during the period~~ Beginning July 1, 2011, ~~and ending June 30, 2021,~~ the general assembly is not required to enact a statute authorizing the department, the authority, or an operator to issue a request for proposals for, or enter into, a public-private agreement **that**

imposes user fees for the operation of motor vehicles for the following projects:

- (1) A project on which construction begins after June 30, 2011, not including any part of Interstate Highway 69 other than a part described in subdivision (4).
- (2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.
- (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in northwestern Indiana with an interstate highway in Illinois.
- (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and that connects the state of Indiana with the commonwealth of Kentucky.

(e) The following apply:

- (1) The authority shall be a party to any public-private agreement entered into pursuant to this article that requires payments to be made to an operator after the operator receives final payment for construction.**
- (2) The authority may issue bonds or refunding bonds under IC 5-1.2-4 to provide funds for any amounts identified under this article but is not required to comply with IC 8-9.5-8-10.**

SECTION 91. IC 8-23-3-8, AS AMENDED BY P.L.153-2014, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) The public mass transportation fund is established for the purpose of promoting and developing public mass transportation in Indiana. The fund shall be administered by the department.

(b) The treasurer of state may invest the money in the fund in the same manner as other public funds may be invested.

(c) Money in the fund at the end of a fiscal year does not revert to the state general fund.

(d) This subsection applies to a calendar year beginning after December 31 of a calendar year in which an eligible county (as defined by IC 8-25-1-4) begins to carry out a public transportation project approved under IC 8-25. The distribution formula established by the department is subject to ~~annual review by the budget committee and~~ approval by the budget director to ensure that a public mass transportation system located in a county other than an eligible county is not adversely affected by a public transportation project carried out under IC 8-25.

SECTION 92. IC 8-23-7-22, AS AMENDED BY P.L.94-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) Subject to subsection (b), the department may, after issuing an order and receiving the governor's approval, determine that a state highway should become a tollway. After the order becomes effective, the department shall maintain and operate the tollway and levy and collect tolls as provided in IC 8-15-3 or enter into a public-private agreement with an operator with respect to the tollway under IC 8-15.7. Before issuing an order under this section, the department shall submit to the governor a plan to bring the tollway to the current design standards of the department for new state highways within a specified period. The specified period may not exceed five (5) years.

(b) Before the governor, the department, or an operator may carry out any of the following activities under this section, the general assembly must enact a statute authorizing that activity:

- (1) Determine that a highway that is in existence or under construction on July 1, 2011, should become a tollway.
- (2) Impose tolls on motor vehicles for use of Interstate Highway 69.

(c) Notwithstanding subsection (b), ~~during the period beginning July 1, 2011, and ending June 30, 2021,~~ the general assembly is not required to enact a statute authorizing the governor, the department, or an operator to determine that all or

part of the following projects should become a tollway:

- (1) A project on which construction begins after June 30, 2011, not including any part of Interstate Highway 69 other than a part described in subdivision (4).
- (2) The addition of toll lanes, including high occupancy toll lanes, to a highway, roadway, or other facility in existence on July 1, 2011, if the number of nontolled lanes on the highway, roadway, or facility as of July 1, 2011, does not decrease due to the addition of the toll lanes.
- (3) The Illiana Expressway, a limited access facility connecting Interstate Highway 65 in northwestern Indiana with an interstate highway in Illinois.
- (4) A project that is located within a metropolitan planning area (as defined by 23 U.S.C. 134) and that connects the state of Indiana with the commonwealth of Kentucky.

SECTION 93. IC 12-15-1.3-18, AS ADDED BY P.L.217-2017, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 18. (a) The definitions set forth in 460 IAC 6-3 as of ~~January 1, 2017,~~ **January 1, 2021,** apply to the terms that are used in this section.

(b) As used in this section, "benefits" means allowances and services provided by employers to employees as compensation that is in addition to salary and wages.

~~(b) (c)~~ **(c)** The office of the secretary shall increase the reimbursement rate for services if the services are provided as follows:

- (1) The services are provided to an individual who receives services under a Medicaid waiver under the federal home and community based services program.
- (2) The individual is authorized under the Medicaid waiver described in subdivision (1) to receive any of the following services:

- (A) Adult day services.
- (B) Prevocational services.
- (C) Residential habilitation and support.
- (D) Respite.
- ~~(E) Supported employment and~~ Extended services as defined in the family supports Medicaid waiver **and the community integration habilitation Medicaid waiver.**
- ~~(F) Community habilitation and participation services.~~ **Day rehabilitation, as defined in the family supports Medicaid waiver and the community integration habilitation Medicaid waiver.**
- ~~(G) Workplace assistance, as defined in the family supports Medicaid waiver and the community integration habilitation Medicaid waiver.~~
- ~~(H) Facility habilitation.~~
- ~~(H) (H)~~ Residential habilitation and support (RHS daily).
- ~~(I) (I)~~ Transportation services.
- ~~(K) (J)~~ Participant assistance and care, as defined in the family supports Medicaid waiver.
- ~~(K) (K)~~ Facility based support, as defined in the family supports Medicaid waiver and the community integration habilitation Medicaid waiver.

- (3) The services are delivered to the individual by a direct care staff.

~~(e) (d)~~ **(d)** The amount of the increase in the reimbursement rate described in subsection ~~(b) (c)~~ for a state fiscal year beginning July 1, ~~2017, 2021,~~ or thereafter is the reimbursement rate in effect as of June 30, ~~2017, 2019,~~ for the services listed in subsection ~~(b) (2)~~ **(c)(2)** multiplied by ~~five percent (5%); seven percent (7%).~~

~~(d) (e)~~ **(e)** An authorized service provider shall use at least ~~seventy-five percent (75%) eighty-five percent (85%)~~ of the amount of the increase in the reimbursement rate to **pay payroll tax liabilities and to increase the wages and benefits** paid to

direct care staff who:

- (1) are employed by the authorized service provider to provide services in Indiana; and
- (2) provide support services listed in subsection (b)(2)(c)(2); and
- (3) are paid on an hourly basis.

(f) If a provider does not use at least ~~seventy-five percent (75%)~~ **eighty-five percent (85%)** of the increase to **pay payroll tax liabilities and to increase wages and benefits** paid to direct care staff, the office shall recoup part or all of the increase in the reimbursement rate that the provider receives as provided in subsection (g); (h).

(g) An authorized service provider providing services in Indiana shall provide written and electronic notification of its plan to **pay payroll tax liabilities and to increase wages and benefits** to:

- (1) direct care staff **described in subsection (e) who are** employed by the provider; and
- (2) the office of the secretary;

within thirty (30) days after the office implements an increase in reimbursement rates.

(h) The office may recoup the difference between ~~seventy-five percent (75%)~~ **eighty-five percent (85%)** of the amount received by a provider as a result of increased reimbursement rates and the amount of the increase that is actually used by the provider to **pay payroll tax liabilities and to pay an increase in wages and benefits** to direct care staff. The remaining ~~twenty-five percent (25%)~~ **fifteen percent (15%)** may be retained by the provider to cover the other employer related costs of providing direct care services, including payroll taxes, benefits, and paid time for nondirect services such as paid time off and training; **administrative and overhead costs.**

(i) Providers shall maintain all books, documents, papers, accounting records, and other evidence required to support the reporting of payroll information for **payment of payroll tax liabilities and for increased wages and benefits** to direct care staff. Wages are defined as total compensation, **including paid time off and training**, less overtime and shift differential for direct care staff providing services to individuals receiving the services described in subsection (b)(2)(c)(2) as reported on the provider's payroll records. Providers shall make these materials available at their respective offices at all reasonable times and for three (3) years from the date of final payment for the services listed in subsection (b)(2)(c)(2) for inspection by the state or its authorized designees. Providers shall furnish copies at no cost to the state if requested.

(j) The office or its designee may recoup all or a part of the amount paid using the increased reimbursement rates based upon an audit or review of the supporting documentation required to be maintained under subsection (h)(i) if the provider cannot provide adequate documentation to support the **payment of payroll tax liabilities and the payment of increased wages and benefits** to direct care staff.

(k) If required, the office shall file Medicaid waiver amendments for the family supports Medicaid waiver and the community integration and habilitation Medicaid waiver related to rate increases and Medicaid waiver caps only on or before ~~September 30, 2017, October 1, 2021~~, with the earliest possible effective date allowed by the federal Centers for Medicare and Medicaid Services. If the federal Centers for Medicare and Medicaid Services ~~deny~~ **denies** the Medicaid waiver amendments, the office may modify the waiver amendment request. If a waiver amendment is not approved, rate increases may not be granted under this section.

(l) This section may not be construed as creating an employment relationship of any kind between office staff and direct care staff of an authorized service provider.

SECTION 94. IC 12-15-14-8, AS ADDED BY P.L.224-2017, SECTION 4, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. ~~(a) The office shall use the RUG-IV, 48-Group model for payment of nursing facility services.~~

~~(b)~~ (a) Beginning July 1, 2018, the office may implement an end of therapy reclassification methodology in the RUG-IV, 48-Group model for payment of nursing facility services.

~~(c)~~ (b) Before the office changes a health facility service reimbursement that results in a reduction in reimbursement, the office shall provide public notice of at least one (1) year. The public notice under this subsection:

- (1) is not a rulemaking action or part of the administrative rulemaking process under IC 4-2-2; and
- (2) must include the fiscal impact of the proposed reimbursement change.

SECTION 95. IC 12-16-17-1, AS ADDED BY P.L.146-2008, SECTION 391, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. The office of the secretary of family and social services shall annually transfer ~~forty million dollars (\$40,000,000)~~ **thirty-two million three hundred thousand dollars (\$32,300,000)** to a hospital corporation established under IC 16-22-8 from the state general fund for the purposes of the hospital corporation.

SECTION 96. IC 12-17-2-7.2-11, AS AMENDED BY P.L.184-2017, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 11. Except as provided under ~~IC 20-51-1-4.3(3)(E)~~ **IC 20-51-1-4.3(4)(E)**, the receipt of a grant under the pilot program does not qualify, nor have an effect on the qualification or eligibility, of a child for a choice scholarship under IC 20-51-4.

SECTION 97. IC 16-21-10-21, AS AMENDED BY P.L.108-2019, SECTION 203, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21. This chapter expires June 30, ~~2021~~ **2023**.

SECTION 98. IC 16-28-15-14, AS AMENDED BY P.L.108-2019, SECTION 204, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. This chapter expires June 30, ~~2021~~ **2023**.

SECTION 99. IC 20-20-12-1, AS ADDED BY P.L.1-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. The department shall administer the advanced placement program established by ~~IC 20-36-3-4(a)~~ **IC 20-36-3-4**.

SECTION 100. IC 20-24-7-13, AS AMENDED BY P.L.159-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 13. (a) After June 30, 2019, a virtual charter school may only apply for authorization with any statewide authorizer in accordance with the authorizer's guidelines. After June 30, 2019, a virtual charter school that has a charter on June 30, 2019, may renew a charter only with a statewide authorizer. An authorizer described in IC 20-24-1-2.5(1) and IC 20-24-1-2.5(3) is not considered a statewide authorizer.

(b) For each state fiscal year, a virtual charter school is entitled to receive funding in a month from the state in an amount equal to:

- (1) the quotient of:
 - (A) the school's basic tuition support determined under ~~IC 20-43-6-3(c)~~ **IC 20-43-6-3**; divided by
 - (B) twelve (12); plus
- (2) the total of any:
 - (A) special education grants under IC 20-43-7;
 - (B) career and technical education grants under IC 20-43-8; and
 - (C) honor grants under IC 20-43-10;
 to which the virtual charter school is entitled for the month.

For each state fiscal year, a virtual charter school's special education grants under IC 20-43-7 shall be calculated in the same manner as special education grants are calculated for other school corporations.

(c) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

(d) Each authorizer of a virtual charter school shall establish requirements or guidelines for virtual charter schools authorized by the authorizer that include the following:

(1) Minimum requirements for the mandatory annual onboarding process and orientation required under IC 20-24-5-4.5, which shall include a requirement that a virtual charter school must provide to a parent of a student:

(A) the student engagement and attendance requirements or policies of the virtual charter school; and

(B) notice that a person who knowingly or intentionally deprives a dependent of education commits a violation under IC 35-46-1-4.

(2) Requirements relating to tracking and monitoring student participation and attendance.

(3) Ongoing student engagement and counseling policy requirements.

(4) Employee policy requirements, including professional development requirements.

(e) The department, with the approval of the state board, shall before December 1 of each year submit an annual report to the budget committee concerning the program under this section.

(f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter schools under this section for the first time must have been included in the state's fall count of ADM conducted in the previous school year.

(g) Each virtual charter school shall report annually to the department concerning the following, on a schedule determined by the department:

(1) Classroom size.

(2) The ratio of teachers per classroom.

(3) The number of student-teacher meetings conducted in person or by video conference.

(4) Any other information determined by the department.

The department shall provide this information annually to the state board and the legislative council in an electronic format under IC 5-14-6.

(h) A virtual charter school shall adopt a student engagement policy. A student who regularly fails to participate in courses may be withdrawn from enrollment under policies adopted by the virtual charter school. The policies adopted by the virtual charter school must ensure that:

(1) adequate notice of the withdrawal is provided to the parent and the student; and

(2) an opportunity is provided, before the withdrawal of the student by the virtual charter school, for the student or the parent to demonstrate that failure to participate in the course is due to an event that would be considered an excused absence under IC 20-33-2.

(i) A student who is withdrawn from enrollment for failure to participate in courses pursuant to the school's student engagement policy may not reenroll in that same virtual charter school for the school year in which the student is withdrawn.

(j) An authorizer shall review and monitor whether a virtual charter school that is authorized by the authorizer complies with the requirements described in subsections (h) and (i).

SECTION 101. IC 20-24-7-13.5, AS AMENDED BY P.L.108-2019, SECTION 210, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 13.5. (a) This section applies to the following charter schools:

(1) The Excel Centers for Adult Learners.

(2) The Christel House DORS centers.

(3) The Gary Middle College charter schools.

(b) Notwithstanding any other law, for a state fiscal year, a charter school described in subsection (a) is entitled to receive funding from the state in an amount equal to the product of:

(1) the charter school's number of students who are

Indiana residents (expressed as full-time equivalents); multiplied by

(2) six thousand seven hundred fifty dollars (\$6,750) beginning July 1, 2017.

(c) However, in the case of the charter school described in subsection (a)(3), the funding under this section applies only for those students who are twenty-two (22) years of age and older. In addition, the total number of students (expressed as full-time equivalents) of all adult learners in charter schools covered by this section may not exceed the following:

(1) For the 2018-2019 state fiscal year:

(A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.

(B) For the Gary Middle College charter schools, two hundred (200) adult learner students.

(C) For the Excel Centers for Adult Learners, four thousand seven hundred (4,700) adult learner students.

(2) (1) For the 2019-2020 2021-2022 state fiscal year:

(A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.

(B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.

(C) For the Excel Centers for Adult Learners, four thousand nine hundred (4,900) adult learner students.

(3) (2) For the 2020-2021 2022-2023 state fiscal year:

(A) For the Christel House DORS centers, eight hundred twenty-five (825) adult learner students.

(B) For the Gary Middle College charter schools, two hundred fifty (250) adult learner students.

(C) For the Excel Centers for Adult Learners, four thousand nine hundred (4,900) adult learner students.

(d) A charter school described in subsection (a) is entitled to receive federal special education funding.

(e) The state funding under this section shall be paid each state fiscal year under a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the payments in each state fiscal year shall equal the amount required under this section. However, if the appropriations for this purpose are insufficient, the distributions to each recipient shall be reduced proportionately.

(f) A charter school that receives funding as provided in this section must report the following information annually to the state board and (in an electronic format under IC 5-14-6) to the legislative council, on a schedule specified by the state board:

(1) The number of adult learners enrolled in the charter school during the preceding year.

(2) The demographics of the adult learners enrolled in the charter school during the preceding year (in a format requested by the state board).

(3) The graduation rates of the adult learners enrolled in the charter school during the preceding year.

(4) The outcomes for adult learners enrolled in the charter school, as of graduation and as of two (2) years after graduation. A charter school must include information concerning students' job placement outcomes, information concerning students' matriculation into higher education, and any other information concerning outcomes required by the state board.

(g) This section expires June 30, 2021: 2023.

SECTION 102. IC 20-24-13-6, AS AMENDED BY P.L.108-2019, SECTION 211, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. The annual grant amount for a school for a state fiscal year is the following:

(1) For the state fiscal year beginning July 1, 2021:

(A) seven hundred fifty dollars (\$750); one thousand dollars (\$1,000); multiplied by

(2) (B) the number of eligible pupils who are counted

in the current ADM of the school.

(2) For the state fiscal year beginning July 1, 2022, and each state fiscal year thereafter:

(A) one thousand two hundred fifty dollars (\$1,250); multiplied by

(B) the number of eligible pupils who are counted in the current ADM of the school.

SECTION 103. IC 20-25.7-5-2, AS AMENDED BY P.L.156-2020, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 2. (a) The board may enter into an agreement with an organizer to reconstitute an eligible school as a participating innovation network charter school or to establish a participating innovation network charter school at a location selected by the board within the boundary of the school corporation. Notwithstanding IC 20-26-7.1, a participating innovation network charter school may be established within a vacant school building.

(b) The terms of the agreement entered into between the board and an organizer must specify the following:

(1) A statement that the organizer authorizes the department to include the charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board.

(2) The amount of state funding, including tuition support (if the participating innovation network charter school is treated in the same manner as a school operated by the school corporation under subsection (d)(2)), and money levied as property taxes that will be distributed by the school corporation to the organizer.

(3) The performance goals and accountability metrics agreed upon for the charter school in the charter agreement between the organizer and the authorizer.

(c) If an organizer and the board enter into an agreement under subsection (a), the organizer and the board shall notify the department that the agreement has been made under this section within thirty (30) days after the agreement is entered into.

(d) Upon receipt of the notification under subsection (c), for school years starting after the date of the agreement:

(1) the department shall include the participating innovation network charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board;

(2) the department shall treat the participating innovation network charter school in the same manner as a school operated by the school corporation when calculating the total amount of state funding to be distributed to the school corporation unless subsection (e) applies; and

(3) if requested by a participating innovation network charter school that reconstitutes an eligible school, the department may use student growth as the state board's exclusive means to determine the innovation network charter school's category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years. Beginning with the 2019-2020 school year, the department may not use student growth as the state board's exclusive means to determine an innovation network charter school's category or designation of school improvement. This subdivision expires July 1, 2023.

(e) If a participating innovation network school was established before January 1, 2016, and for the current school year has a complexity index that is greater than the complexity index for the school corporation that the innovation network school has contracted with, the innovation network school shall be treated as a charter school for purposes of determining tuition support. This subsection expires June 30, 2021: **2023.**

SECTION 104. IC 20-26-5-40 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 40. (a) Not**

later than April 15 each year, each school corporation and charter school shall report to the department the number of students who met the following conditions in the preceding school year:

(1) The student was enrolled in the school corporation on the day in September fixed by the state board for the fall count of students under IC 20-43-4-3.

(2) The student successfully completed Indiana high school graduation requirements during the student's expected graduation year (as defined in IC 20-26-13-4) before the day in February fixed by the state board for the spring count of students under IC 20-43-4-3.

(3) The student was not enrolled in the school corporation on the day in February fixed by the state board for the spring count of students under IC 20-43-4-3.

(b) In addition to the number provided under subsection (a), each school corporation and charter school shall submit information prescribed by the department that is necessary to verify the number reported under subsection (a).

SECTION 105. IC 20-36-3-4, AS ADDED BY P.L.1-2005, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. ~~(a)~~ The advanced placement program is established to encourage students to pursue advanced courses, particularly in math and science. The program shall be administered by the department.

~~(b) Unexpended money appropriated to the department to implement the program at the end of a state fiscal year does not revert to the state general fund.~~

SECTION 106. IC 20-43-1-1, AS AMENDED BY P.L.108-2019, SECTION 214, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 1. This article expires June 30, 2021: **2023.**

SECTION 107. IC 20-43-1-15.5 IS REPEALED [EFFECTIVE JUNE 29, 2021]. ~~Sec. 15.5. This section applies after June 30, 2018. "Less than moderate value program" means a career and technical education program that the department of workforce development recognizes as:~~

~~(1) having a low employment demand and a low average wage level;~~

~~(2) having a moderate employment demand and a low average wage level; or~~

~~(3) having a low employment demand and a moderate average wage level.~~

SECTION 108. IC 20-43-2-1, AS AMENDED BY P.L.205-2013, SECTION 268, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. **Except as provided in IC 20-51.4-4-2,** the department shall distribute the amount appropriated by the general assembly for distribution as state tuition support in accordance with this article. If the appropriations for distribution as state tuition support are more than required under this article, any excess shall revert to the state general fund. The appropriations for state tuition support shall be made each state fiscal year under a schedule set by the budget agency and approved by the governor. However, the schedule must provide:

(1) for at least twelve (12) payments;

(2) that one (1) payment shall be made at least every forty (40) days; and

(3) the total of the payments in each state fiscal year must equal the amount required under this article.

SECTION 109. IC 20-43-2-3, AS AMENDED BY P.L.10-2019, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. In determining the total amount to be distributed for purposes of section 2 of this chapter, distributions:

(1) as basic tuition support;

(2) for honors designation awards;

(3) for special education grants;

(4) for career and technical education grants;

(5) for choice scholarships; ~~and~~
 (6) for Mitch Daniels early graduation scholarships; **and**
 (7) **for Indiana education scholarship account grants;**
 are to be considered for a particular state fiscal year.

SECTION 110. IC 20-43-3-8, AS AMENDED BY P.L.108-2019, SECTION 221, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 8. A school corporation's foundation amount is the following:

~~(1) Five thousand five hundred forty-eight dollars (\$5,548) for the state fiscal year beginning July 1, 2019;~~

~~(2) Five thousand seven hundred three dollars (\$5,703) for the state fiscal year beginning July 1, 2020;~~

(1) Five thousand seven hundred seventy-one dollars (\$5,771) for the state fiscal year beginning July 1, 2021.

(2) Five thousand nine hundred thirteen dollars (\$5,913) for the state fiscal year beginning July 1, 2022.

SECTION 111. IC 20-43-4-2, AS AMENDED BY P.L.217-2017, SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) A school corporation's ADM is the number of eligible pupils enrolled in:

(1) the school corporation; or

(2) a transferee corporation;

on the day fixed in September by the state board for a count of students under section 3 of this chapter and as subsequently adjusted not later than the date specified under the rules adopted by the state board. The state board may adjust the school's count of eligible pupils if the state board determines that the count is unrepresentative of the school corporation's enrollment. In addition, a school corporation may petition the state board to make an adjusted count of students enrolled in the school corporation if the corporation has reason to believe that the count is unrepresentative of the school corporation's enrollment. In addition, a school corporation shall determine the number of eligible pupils enrolled in:

(1) the school corporation; or

(2) a transferee corporation;

on the day fixed in February by the state board for a spring count of students ~~to be used only for informational purposes under this article; under section 3 of this chapter and as subsequently adjusted under this chapter or under rules adopted by the state board. The department shall adjust a school corporation's February count of students as provided in section 3.5 of this chapter. Except as specifically provided by law, the spring count shall not be used for determining school funding under this article.~~

(b) Each school corporation shall, before April 1 of each year, provide to the department an estimate of the school corporation's ADM that will result from the count of eligible pupils in the following September. The department may update and adjust the estimate as determined appropriate by the department. In each odd-numbered year, the department shall provide the updated and adjusted estimate of the school corporation's ADM to the legislative services agency before April 10 of that year.

(c) A new charter school shall submit an enrollment estimate to the department before April 1 of the year the new charter school will be open for enrollment. The department shall use the new charter school's enrollment estimate as the basis for the new charter school's distribution beginning in July and until actual ADM is available, subject to section 9 of this chapter. However, if the new charter school's enrollment estimate is greater than eighty percent (80%) of the new charter school's authorized enrollment cap, the department may use that enrollment estimate if the department has requested and reviewed other enrollment data that support that enrollment estimate. However, if the enrollment data requested and reviewed by the department does not support the enrollment estimate submitted by the new charter school, the department shall determine the estimated ADM based on the enrollment data requested and reviewed by the department. In each odd-numbered year, the department shall

provide the new charter school's estimated ADM to the legislative services agency before April 10 of that year.

SECTION 112. IC 20-43-4-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 3.5. (a) Beginning with the February count of students made in 2022, the department shall adjust the February count of a school corporation's ADM (as otherwise adjusted under this chapter) by adding to each count the number of students who met the following conditions in the preceding school year:**

(1) The student was enrolled in the school corporation on the day in September fixed by the state board for the fall count of students under section 3 of this chapter.

(2) The student successfully completed Indiana high school graduation requirements during the student's expected graduation year (as defined in IC 20-26-13-4) before the day in February fixed by the state board for the spring count of students under section 3 of this chapter.

(3) The student was not enrolled in the school corporation on the day in February fixed by the state board for the spring count of students under section 3 of this chapter.

(b) If a February count of students is adjusted retroactively under this section, the adjusted count retroactively applies to the amount of state tuition support distributed to a school corporation affected by the adjusted count, as provided in section 9 of this chapter.

SECTION 113. IC 20-43-4-9, AS AMENDED BY P.L.108-2019, SECTION 224, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 9. (a) Subject to subsections (b) and (c), this subsection applies to the calculation of state tuition support distributions that are based on the current ADM of a school corporation. The fall count of ADM, as adjusted by the state board under section 2 of this chapter, shall be used to compute state tuition support distributions made in the first six (6) months of the current state fiscal year. ~~and~~ The spring count of ADM, as adjusted by:

(1) the state board under section 2 of this chapter; and

(2) the department under section 3.5 of this chapter;

shall be used to compute state tuition support distributions made in the second six (6) months of the state fiscal year.

(b) This subsection applies to a school corporation that does not provide the estimates required by section 2(b) of this chapter before the deadline. For monthly state tuition support distributions made before the count of ADM is finalized, the department shall determine the distribution amount for such a school corporation for a state fiscal year of the biennium, using data that were used by the general assembly in determining the state tuition support appropriation for the budget act for that state fiscal year. The department may adjust the data used under this subsection for errors.

(c) If the:

(1) state board; or

(2) department, under section 3.5 of this chapter;

adjusts a count of ADM after a distribution is made under this article, the adjusted count retroactively applies to the amount of state tuition support distributed to a school corporation affected by the adjusted count. The department shall settle any overpayment or underpayment of state tuition support resulting from an adjusted count of ADM on the schedule determined by the department and approved by the budget agency.

SECTION 114. IC 20-43-6-3, AS AMENDED BY P.L.108-2019, SECTION 225, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 3. ~~(a)~~ A school corporation's basic tuition support for a state fiscal year is ~~the amount determined under the applicable provision of this section:~~

(b) This subsection applies to a school corporation that does

not have any students in the school corporation's current ADM for the year for whom; of the instructional services that the students receive from the school corporation; at least fifty percent (50%) is virtual instruction. The school corporation's basic tuition support for a state fiscal year is equal to the result using the following formula:

STEP ONE: Multiply the foundation amount by the school corporation's current ADM.

STEP TWO: Multiply the school corporation's complexity index by

- (A) for the state fiscal year beginning July 1, 2019; three thousand six hundred fifty dollars (\$3,650); and
- (B) for the state fiscal year beginning July 1, 2020; three thousand six hundred seventy-five dollars (\$3,675).

STEP THREE: Multiply the STEP TWO amount by the school corporation's current ADM.

STEP FOUR: This STEP applies only to a school corporation that has at least eighteen percent (18%) of its ADM eligible for the English language learners program and that experienced a percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index for the school year ending in 2017 compared to the school corporation's complexity index for the current school year. For such a school corporation determine the result of:

- (A) the school corporation's current ADM; multiplied by
- (B) one hundred twenty-eight dollars (\$128).

STEP FIVE: **FOUR:** Determine the result of:

- (A) the STEP ONE amount; plus
- (B) the STEP THREE amount; plus
- (C) the STEP FOUR amount; if applicable.

(e) This subsection applies to a school corporation that has students in the school corporation's current ADM for the year for whom; of the instructional services that the students receive from the school corporation; at least fifty percent (50%) is virtual instruction. The school corporation's basic tuition support for a state fiscal year is equal to the result using the following formula:

STEP ONE: Determine the total number of students in the school corporation's current ADM for the year for whom; of the instructional services that the students receive from the school corporation; at least fifty percent (50%) is virtual instruction.

STEP TWO: Determine the result of the school corporation's current ADM for the year minus the STEP ONE amount.

STEP THREE: Determine the result of:

- (A) the foundation amount; multiplied by
- (B) the STEP TWO amount.

STEP FOUR: Determine the result of:

- (A) the STEP ONE amount; multiplied by
- (B) eighty-five percent (85%) of the foundation amount.

STEP FIVE: Multiply the school corporation's complexity index by:

- (A) for the state fiscal year beginning July 1, 2019; three thousand six hundred fifty dollars (\$3,650); and
- (B) for the state fiscal year beginning July 1, 2020; three thousand six hundred seventy-five dollars (\$3,675).

STEP SIX: Multiply the STEP FIVE amount by the school corporation's current ADM.

STEP SEVEN: This STEP applies only to a school corporation that has at least eighteen percent (18%) of its ADM eligible for the English language learners program and that experienced a percentage decrease of at least forty-five percent (45%) in the school corporation's complexity index for the school year ending in 2017

compared to the school corporation's complexity index for the current school year. For such a school corporation determine the result of:

- (A) the school corporation's current ADM; multiplied by
- (B) one hundred twenty-eight dollars (\$128).

STEP EIGHT: Determine the result of:

- (A) the STEP THREE amount; plus
- (B) the STEP FOUR amount; plus
- (C) the STEP SIX amount; plus
- (D) the STEP SEVEN amount; if applicable.

SECTION 115. IC 20-43-7-6, AS AMENDED BY P.L.108-2019, SECTION 226, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 6. A school corporation's special education grant for a state fiscal year is equal to the sum of the following:

- (1) The nonduplicated count of pupils in programs for severe disabilities multiplied by nine thousand one hundred fifty-six dollars (\$9,156).
- (2) The nonduplicated count of pupils in programs of mild and moderate disabilities multiplied by two thousand three hundred dollars (\$2,300).
- (3) The duplicated count of pupils in programs for communication disorders multiplied by five hundred dollars (\$500).
- (4) The cumulative count of pupils in homebound programs multiplied by five hundred dollars (\$500).
- (5) The nonduplicated count of pupils in special preschool education programs multiplied by the following:
 - (A) ~~Two thousand eight hundred seventy-five dollars (\$2,875)~~ for the state fiscal year beginning July 1, 2019;
 - (B) ~~Three thousand dollars (\$3,000)~~ for the state fiscal year beginning July 1, 2020; **three thousand dollars (\$3,000).**

SECTION 116. IC 20-43-8-7.5, AS AMENDED BY P.L.108-2019, SECTION 227, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 7.5. (a) The department of workforce development shall designate each career and technical education program as:

- (1) an apprenticeship program;
- (2) a cooperative education program;
- (3) a work based learning program;
- (4) a high value program;
- (5) a moderate value program;
- (6) a less than moderate value program;
- (7) ~~(6)~~ an introductory program; or
- (8) ~~(7)~~ a foundational career and technical education course.

The designation of career and technical education programs by the department of workforce development under this section must be reviewed and approved by the state board as provided in this section.

(b) Not later than December 1, 2019, and each December 1 thereafter, the department of workforce development shall designate each career and technical education program as:

- (1) an apprenticeship program;
- (2) a work based learning program;
- (3) a high value level 1 program;
- (4) a high value level 2 program;
- (5) a moderate value level 1 program;
- (6) a moderate value level 2 program;
- (7) a less than moderate value level 1 program;
- (8) a less than moderate value level 2 program;
- (9) ~~(7)~~ a planning for college and career course; or
- (10) ~~(8)~~ an introductory program.

The designation of career and technical education programs by the department of workforce development under this section must be reviewed and approved by the state board as provided in this section.

(c) If a new career and technical education program is created by rule, the department of workforce development shall determine the category in which the program is designated under subsection (a) or (b). A career and technical education program must be approved by the department of workforce development in order for a school corporation to be eligible to receive a grant amount for the career and technical education program under section 15 of this chapter.

(d) Not later than December 1 of each year, the department of workforce development shall provide a report to the state board that includes the following information:

- (1) A list of the career and technical education courses for the next school year that are designated by the department of workforce development under this section.
- (2) The labor market demand used to designate each career and technical education program under this section.
- (3) The average wage level used to designate each career and technical education program under this section.
- (4) If applicable, the labor market demand and average wage level data for specific regions, counties, and municipalities.
- (5) Any other information pertinent to the methodology used by the department of workforce development to designate each career and technical education program under this section.

(e) Not later than January 1 of each year, the state board shall review and approve the report provided by the department of workforce development under subsection (d) at a public meeting to ensure that the list of courses is in compliance with the long range state plan developed under IC 20-20-38-4. Not later than January 1 of each year, the state board shall send its determination to the department of workforce development. Upon receipt of the state board's determination, the department of workforce development shall provide the approved report to the department.

(f) The department of workforce development shall publish the approved report under subsection (e) on the department of workforce development's Internet web site, including the following:

- (1) The list of career and technical education programs that are designated by the department of workforce development under this section.
- (2) The labor market demand used to designate each career and technical education program under this section.
- (3) The average wage level used to designate each career and technical education program under this section.
- (4) If applicable, the labor market demand and average wage level data for specific regions, counties, and municipalities.
- (5) Any other information pertinent to the methodology used by the department of workforce development to designate each career and technical education program under this section.

In addition, the department shall notify all school corporations of the state board's approval of the report under subsection (e) and provide a link within the notice to the approved report published on the department of workforce development's Internet web site under this subsection.

SECTION 117. IC 20-43-8-15, AS AMENDED BY P.L.154-2020, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 15. ~~(a) This subsection applies to the state fiscal year beginning July 1, 2019. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:~~

STEP ONE: Determine for each career and technical education program provided by the school corporation:

- (A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

- (i) Six hundred eighty dollars (\$680) for a career and technical education program designated by the department of workforce development as a high value program under section 7.5 of this chapter.
- (ii) Four hundred dollars (\$400) for a career and technical education program designated by the department of workforce development as a moderate value program under section 7.5 of this chapter.
- (iii) Two hundred dollars (\$200) for a career and technical education program designated by the department of workforce development as a less than moderate value program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program; a cooperative education program; a foundational career and technical education course; or a work based learning course designated under section 7.5 of this chapter multiplied by one hundred fifty dollars (\$150).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars (\$300).

STEP FOUR: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars (\$150).

~~(b) This subsection section applies to state fiscal years beginning after June 30, 2020: 2021. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:~~

STEP ONE: Determine for each career and technical education program provided by the school corporation:

- (A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by
- (B) the number of pupils enrolled in the program; multiplied by
- (C) the following applicable amount:

- (i) ~~Six hundred eighty dollars (\$680)~~ **Seven hundred ten dollars (\$710)** for a career and technical education program designated by the department of workforce development as a high value level 1 program under section 7.5 of this chapter.
- (ii) ~~One thousand twenty dollars (\$1,020)~~ **One thousand one hundred fifty dollars (\$1,150)** for a career and technical education program designated by the department of workforce development as a high value level 2 program under section 7.5 of this chapter.
- (iii) Four hundred dollars (\$400) for a career and technical education program designated by the department of workforce development as a moderate value level 1 program under section 7.5 of this chapter.
- (iv) Six hundred dollars (\$600) for a career and technical education program designated by the department of workforce development as a moderate value level 2 program under section 7.5 of this chapter.
- (v) Two hundred dollars (\$200) for a career and technical education program designated by the department of workforce development as a less than moderate value level 1 program under section 7.5 of this chapter.

~~(v) Two hundred dollars (\$200) for a career and technical education program designated by the department of workforce development as a less than moderate value level 1 program under section 7.5 of this chapter.~~

this chapter.

(vi) ~~Three hundred dollars (\$300) for a career and technical education program designated by the department of workforce development as a less than moderate value level 2 program under section 7.5 of this chapter.~~

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program or a work based learning program designated under section 7.5 of this chapter multiplied by five hundred dollars (\$500).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars (\$300).

STEP FOUR: Determine the number of pupils enrolled in a planning for college and career course under section 7.5 of this chapter at the school corporation that is approved by the department of workforce development multiplied by one hundred fifty dollars (\$150).

STEP FIVE: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars (\$150).

SECTION 118. IC 20-43-10-3.5, AS AMENDED BY P.L.108-2019, SECTION 231, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 3.5. (a) As used in this section, "school" means a school corporation, charter school, and a virtual charter school.

(b) Subject to the requirements of this section, a school qualifies for a teacher appreciation grant as provided in this section for a state fiscal year if one (1) or more licensed teachers:

- (1) employed in the classroom by the school; or
- (2) directly providing virtual education;

were rated as effective or as highly effective, using the most recently completed teacher ratings.

(c) A school may not receive a teacher appreciation grant under this section unless:

- (1) the school has in the state fiscal year in which the teacher appreciation grants are made under this section:

- (A) adopted an annual policy concerning the distribution of teacher appreciation grants; and
- (B) submitted the policy to the department for approval; and

- (2) the department has approved the policy.

The department shall specify the date by which a policy described in subdivision (1) must be submitted to the department.

(d) The amount of a teacher appreciation grant for a qualifying school corporation or virtual charter school is equal to:

- (1) thirty-seven dollars and fifty-cents (\$37.50); multiplied by
- (2) the school's current ADM.

However, the grant amount for a virtual charter school may not exceed the statewide average grant amount.

(e) The following apply to the distribution of teacher appreciation grants:

- (1) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year exceeds the amount appropriated by the general assembly for teacher appreciation grants for that state fiscal year, the total amount to be distributed as teacher appreciation grants to schools shall be proportionately reduced so that the total reduction equals the amount of the excess. The amount of the reduction for a particular school is equal to the total amount of the excess multiplied by a fraction. The numerator of the fraction is the amount of the teacher appreciation grant that the school would have received if

a reduction were not made under this section. The denominator of the fraction is the total amount that would be distributed as teacher appreciation grants to all schools if a reduction were not made under this section.

(2) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year is less than the amount appropriated by the general assembly for teacher appreciation grants for that state fiscal year, the total amount to be distributed as teacher appreciation grants to schools for that particular state fiscal year shall be proportionately increased so that the total amount to be distributed equals the amount of the appropriation for that particular state fiscal year.

(f) The annual teacher appreciation grant to which a school is entitled for a state fiscal year shall be distributed to the school before December 5 of that state fiscal year.

(g) The following apply to a school's policy under subsection (c) concerning the distribution of teacher appreciation grants:

(1) The governing body shall differentiate between a teacher rated as a highly effective teacher and a teacher rated as an effective teacher. The policy must provide that the amount of a stipend awarded to a teacher rated as a highly effective teacher must be at least twenty-five percent (25%) more than the amount of a stipend awarded to a teacher rated as an effective teacher.

(2) The governing body of a school may differentiate between school buildings.

(3) A stipend to an individual teacher in a particular year is not subject to collective bargaining, but is discussable, and is in addition to the minimum salary or increases in salary set under IC 20-28-9-1.5. The governing body may provide that an amount not exceeding fifty percent (50%) of the amount of a stipend to an individual teacher in a particular state fiscal year becomes a permanent part of and increases the base salary of the teacher receiving the stipend for school years beginning after the state fiscal year in which the stipend is received. The addition to base salary is not subject to collective bargaining, but is discussable.

(h) A teacher appreciation grant received by a school shall be allocated among and used only to pay cash stipends to all licensed teachers employed in the classroom who are rated as effective or as highly effective and employed by the school as of December 1. A school may allocate up to twenty percent (20%) of the grant received by the school to provide a supplemental award to teachers with less than five (5) years of service who are rated as effective or as highly effective. The supplemental award is in addition to the award made from the part of the grant that is allocated to all eligible teachers.

(i) The lead school corporation or interlocal cooperative administering a cooperative or other special education program or administering a career and technical education program, including programs managed under IC 20-26-10, IC 20-35-5, IC 20-37, or IC 36-1-7, shall award teacher appreciation grant stipends to and carry out the other responsibilities of an employing school corporation under this section for the teachers in the special education program or career and technical education program.

(j) A school shall distribute all stipends from a teacher appreciation grant to individual teachers within twenty (20) business days of the date the department distributes the teacher appreciation grant to the school. Any part of the teacher appreciation grant not distributed as stipends to teachers before February must be returned to the department on the earlier of the date set by the department or June 30 of that state fiscal year.

(k) The department, after review by the budget committee, may waive the December 5 deadline under subsection (f) to distribute an annual teacher appreciation grant to the school under this section for that state fiscal year and approve an

extension of that deadline to a later date within that state fiscal year, if the department determines that a waiver and extension of the deadline are in the public interest.

(l) The state board may adopt rules under IC 4-22-2, including emergency rules in the manner provided in IC 4-22-2-37.1, as necessary to implement this section.

(m) This section expires June 30, ~~2021~~ **2023**.

SECTION 119. IC 20-43-13-4, AS AMENDED BY P.L.108-2019, SECTION 233, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: Sec. 4. (a) Except as provided in subsection (c), the complexity index is the percentage of the school corporation's students who were receiving Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance for Needy Families (TANF) benefits, or foster care services as of October 1 in the school year ending in the later of:

(1) ~~2019~~ **2021**; or

(2) the first year of operation of the school corporation.

(b) For a conversion charter school, the percentage determined under this section is the percentage of the sponsor school corporation.

(c) If a school corporation's complexity index is less than the school corporation's complexity index for the preceding state fiscal year, the school corporation's complexity index for the state fiscal year is the greater of:

(1) the school corporation's complexity index for the state fiscal year; or

(2) the school corporation's complexity index for the preceding state fiscal year minus twenty-five thousandths (0.025).

(c) For the state fiscal year beginning July 1, 2021, if a school corporation's complexity index is:

(1) greater than:

(A) the school corporation's complexity index for the preceding state fiscal year; plus

(B) twenty-five thousandths (0.025);

the school corporation's complexity index for the state fiscal year is equal to the school corporation's complexity index for the preceding state fiscal year plus twenty-five thousandths (0.025); or

(2) less than:

(A) the school corporation's complexity index for the preceding state fiscal year; minus

(B) twenty-five thousandths (0.025);

the school corporation's complexity index for the state fiscal year beginning July 1, 2021, is equal to the school corporation's complexity index for the preceding state fiscal year minus twenty-five thousandths (0.025).

(d) For the state fiscal year beginning July 1, 2022, if a school corporation's complexity index is:

(1) greater than:

(A) the school corporation's complexity index for the preceding state fiscal year; plus

(B) twenty-five thousandths (0.025);

the school corporation's complexity index for the state fiscal year is equal to the school corporation's complexity index for the preceding state fiscal year plus twenty-five thousandths (0.025); or

(2) less than:

(A) the school corporation's complexity index for the preceding state fiscal year; minus

(B) twenty-five thousandths (0.025);

the school corporation's complexity index for the state fiscal year beginning July 1, 2021, is equal to the school corporation's complexity index for the preceding state fiscal year minus twenty-five thousandths (0.025).

(~~d~~) (e) For a participating innovation network charter school, the percentage determined under this section is the greater of the percentage for the:

(1) participating innovation network charter school; or

(2) school corporation with which the participating

innovation network charter school has contracted.

SECTION 120. IC 20-51-1-4.3, AS AMENDED BY P.L.184-2017, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4.3. "Eligible choice scholarship student" refers to an individual who:

(1) has legal settlement in Indiana;

(2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the school year specified in IC 20-33-2-7; and

(3) is a member of a household with an annual income of not more than:

(A) for a school year beginning after June 30, 2021, and before July 1, 2022, two hundred twenty-five percent (225%) of the amount required for the individual to qualify for the federal free or reduced price lunch program; or

(B) for a school year beginning after June 30, 2022, three hundred percent (300%) of the amount required for the individual to qualify for the federal free or reduced price lunch program; and

(~~3~~) (4) meets at least one (1) of the following conditions:

(A) The individual is

(i) a student with a disability who requires special education and for whom an individualized education program has been developed under IC 20-35 or a service plan developed under 511 IAC 7-34. and

(ii) a member of a household with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

(B) The individual is

(i) an individual who, because of the school corporation's residency requirement, would be required to attend a specific public school within a school corporation that has been placed in the lowest category or designation of school improvement under IC 20-31-8-4 (has been assigned an "F" grade). and

(ii) except as provided in IC 20-51-4-2.5, is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

An individual to whom this clause applies is not required to attend the public school before becoming eligible for a choice scholarship, and may not be required to return to the public school if the public school is placed in a higher category or designation under IC 20-31-8-4.

(C) Except as provided in IC 20-51-4-2.5, the individual is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program and The individual was enrolled in kindergarten through grade 12, in a public school, including a charter school, in Indiana for at least two (2) semesters immediately preceding the first semester for which the individual receives a choice scholarship under IC 20-51-4.

(D) The individual or a sibling of the individual who, except as provided in IC 20-51-4-2.5, is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program and satisfies either of the following:

(i) The individual or a sibling of the individual received before July 1, 2013, a scholarship from a scholarship granting organization under IC 20-51-3

or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4.

(ii) The individual or a sibling of the individual receives for the first time after June 30, 2013, a scholarship of at least five hundred dollars (\$500) from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4.

(E) Subject to IC 20-51-4-2.7, the individual:

(i) received an early education grant under IC 12-17.2-7.2;

(ii) used the grant described in item (i) to attend a prekindergarten program at an eligible school; and
(iii) continues to meet the income eligibility requirements the individual was required to meet to receive an early education grant under IC 12-17.2-7.2; and

(iv) (iii) continues to attend the eligible school at which the individual attended a prekindergarten program as described in item (ii).

(F) The individual is in foster care.

SECTION 121. IC 20-51-1-5, AS AMENDED BY P.L.211-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. "Eligible student" refers to an individual who:

(1) has legal settlement in Indiana;

(2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the school year specified in IC 20-33-2-7;

(3) either has been or is currently enrolled in a participating school; and

(4) is a member of a household with:

(A) for taxable years ending before January 1, 2022, an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program;

(B) for the taxable year beginning after December 31, 2021, and ending before January 1, 2023, an annual income of not more than two hundred twenty-five percent (225%) of the amount required for the individual to qualify for the federal free or reduced price lunch program; and

(C) for taxable years beginning after December 31, 2022, an annual income of not more than three hundred percent (300%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

SECTION 122. IC 20-51-1-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5.5. "Parent", for purposes of IC 20-51-4, includes the foster parent of an eligible choice scholarship student.

SECTION 123. IC 20-51-4-2, AS AMENDED BY P.L.211-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) Subject to subsection (b); Except as provided in subsection (b), an eligible choice scholarship student is entitled to a choice scholarship under this chapter for each school year beginning after June 30, 2011; that the eligible choice scholarship student enrolls in an eligible school.

(b) The department may not award more than:

(1) seven thousand five hundred (7,500) choice scholarships for the school year beginning July 1, 2011; and ending June 30, 2012; and

(2) fifteen thousand (15,000) choice scholarships for the school year beginning July 1, 2012; and ending June 30, 2013.

The department shall establish the standards used to allocate choice scholarships among eligible choice scholarship students:

(b) An eligible choice scholarship student is not entitled to a choice scholarship under this chapter for a particular year if the eligible choice scholarship student receives an annual grant amount under IC 20-51-4-2 under the Indiana education scholarship account program for the same school year.

SECTION 124. IC 20-51-4-2.5 IS REPEALED [EFFECTIVE JULY 1, 2021]. Sec. 2.5. Notwithstanding IC 20-51-1-4.3(3)(B); IC 20-51-1-4.3(3)(C); or IC 20-51-1-4.3(3)(D)(ii); an individual who initially meets the income requirements under IC 20-51-1-4.3(3)(B); IC 20-51-1-4.3(3)(C); or IC 20-51-1-4.3(3)(D)(ii) and is a member of a household whose income subsequently increases is considered to meet the income requirements for as long as the individual is enrolled in an eligible school and is a member of a household with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

SECTION 125. IC 20-51-4-2.7, AS ADDED BY P.L.184-2017, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2.7. An eligible choice scholarship student described in IC 20-51-1-4.3(3)(E) **IC 20-51-1-4.3(4)(E)** may only use a choice scholarship awarded to the eligible choice scholarship student under this chapter to attend an eligible school at which the individual used an early education grant under IC 12-17.2-7.2 to attend a prekindergarten program unless the eligible choice scholarship student otherwise qualifies for a choice scholarship under ~~IC 20-51-1-4.3(3)(A)~~ **IC 20-51-1-4.3(4)(A)** through ~~IC 20-51-1-4.3(3)(D)~~ **IC 20-51-1-4.3(4)(D)** or **IC 20-51-1-4.3(4)(F)** and this chapter.

SECTION 126. IC 20-51-4-4, AS AMENDED BY P.L.108-2019, SECTION 234, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. (a) The amount an eligible choice scholarship student is entitled to receive under this chapter for a school year is equal to the following:

(1) The least of the following:

(A) The sum of the tuition or transfer tuition and fees required for enrollment or attendance of the eligible choice scholarship student at the eligible school selected by the eligible choice scholarship student for a school year that the eligible choice scholarship student (or the parent of the eligible choice scholarship student) would otherwise be obligated to pay to the eligible school.

(B) An amount equal to

(i) ninety percent (90%) of the state tuition support amount determined under section 5 of this chapter. if the eligible choice scholarship student is a member of a household with an annual income of not more than the amount required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program;

(ii) seventy percent (70%) of the state tuition support amount determined under section 5 of this chapter if the eligible choice scholarship student is a member of a household with an annual income of, in the case of an individual not described in section 2.5 of this chapter or item (i); not more than one hundred twenty-five percent (125%) of the amount

required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program; and

(iii) fifty percent (50%) of the state tuition support amount determined under section 5 of this chapter if the eligible choice scholarship student is a member of a household with an annual income of, in the case of an individual not described in section 2.5 of this chapter or item (i) or (ii), not more than one hundred fifty percent (150%) of the amount required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program or, in the case of an individual described in section 2.5 of this chapter, not more than two hundred percent (200%) of the amount required for the eligible choice scholarship student to qualify for the federal free or reduced price lunch program.

(2) In addition to the amount described in subdivision (1), if the eligible choice scholarship student has been identified as eligible for special education services under IC 20-35 and the eligible school provides the necessary special education or related services to the eligible choice scholarship student, any amount that a school corporation would receive under IC 20-43-7 for the eligible choice scholarship student if the eligible choice scholarship student attended the school corporation. However, if an eligible choice scholarship student changes schools during the school year after the December 1 count under IC 20-43-7-1 of eligible pupils enrolled in special education programs and the eligible choice scholarship student enrolls in a different eligible school, any choice scholarship amounts paid to the eligible choice scholarship student for the remainder of the school year after the eligible choice scholarship student enrolls in the different eligible school shall not include amounts that a school corporation would receive under IC 20-43-7 for the eligible choice scholarship student if the eligible choice scholarship student attended the school corporation.

(b) The amount an eligible choice scholarship student is entitled to receive under this chapter if the eligible student applies for the choice scholarship under section 7(e) of this chapter shall be reduced on a prorated basis in the manner prescribed in section 6 of this chapter.

SECTION 127. IC 20-51-4-5, AS AMENDED BY P.L.106-2016, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. The state tuition support amount to be used in section 4(a)(1)(B) of this chapter for an eligible choice scholarship student is the amount determined under the last STEP of the following formula:

STEP ONE: Determine the school corporation in which the eligible choice scholarship student has legal settlement.
STEP TWO: Determine the amount of state tuition support that the school corporation identified under STEP ONE is eligible to receive under IC 20-43 for the state fiscal year in which the current school year begins, ~~excluding~~ **including the basic tuition support amount made under IC 20-43-6 and grants made under IC 20-43-10-2. However, the amount does not include** amounts provided for special education grants under IC 20-43-7 and career and technical education grants under IC 20-43-8.

STEP THREE: Determine the result of:

- (A) the STEP TWO amount; divided by
- (B) the current ADM (as defined in IC 20-43-1-10) for the school corporation identified under STEP ONE for the state fiscal year used in STEP TWO.

SECTION 128. IC 20-51-4-10, AS AMENDED BY P.L.106-2016, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 10. The department shall distribute choice scholarships at least once

each semester, or at equivalent intervals. The department may distribute the choice scholarship to the eligible choice scholarship student (or the parent of the eligible choice scholarship student) for the purpose of paying the educational costs described in section 4(1)(A) of this chapter (before July 1, 2017) or in section 4(a)(1)(A) of this chapter. (after June 30, 2017). For the distribution to be valid, the eligible choice scholarship student (or the parent of the eligible choice scholarship student) and the eligible school providing educational services to the eligible choice scholarship student must annually sign a form, prescribed by the department to endorse distributions for the particular school year. If:

(1) an eligible choice scholarship student who is receiving a choice scholarship for a school year changes schools during the school year after signing the form to endorse distributions for that school year; and

(2) the eligible choice scholarship student enrolls in a different eligible school that has not signed the form to endorse distributions for that school year;

the eligible choice scholarship student (or the parent of the eligible choice scholarship student) and the eligible school must sign the form prescribed by the department to endorse distributions for the particular school year.

SECTION 129. IC 20-51.4 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

ARTICLE 51.4. INDIANA EDUCATION SCHOLARSHIP ACCOUNT PROGRAM

Chapter 1. Applicability

Sec. 1. This article applies to a school year beginning after June 30, 2021, and each school year thereafter.

Chapter 2. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Account" refers to an Indiana education scholarship account established by an eligible student's parent or an emancipated (as described in IC 20-26-11-4) eligible student under IC 20-51.4-4-1.

Sec. 3. "Annual grant amount" refers to the annual grant amount deposited into the eligible student's account under IC 20-51.4-4-2.

Sec. 4. "Approved postsecondary educational institution" has the meaning set forth in IC 21-7-13-6(a).

Sec. 5. "Council" refers to the Indiana education scholarship account program advisory council established under IC 20-51.4-3-7.

Sec. 6. "Eligible student" refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the school year specified in IC 20-33-2-7;
- (3) is:

(A) a student with a disability at the time the account is established who requires special education and for whom:

- (i) an individualized education program;
- (ii) a service plan developed under 511 IAC 7-34; or
- (iii) a choice special education plan developed under 511 IAC 7-49;

has been developed;

(B) a student with a parent who, at the time the account is established, is on active duty service in the armed forces of the United States or national guard; or

(C) placed in foster care or otherwise under care and supervision of the department of child services at the time the account is established and has received authorization from the department of child services to establish the account; and

(4) either:

- (A) established an account; or
 - (B) had an account established on behalf of the individual;
- that has not been frozen by the treasurer of state under IC 20-51.4-4-9.

Sec. 7. "Parent" has the meaning set forth in IC 20-18-2-13 and includes for a student described in section 6(3)(C) of this chapter, a foster parent.

Sec. 8. "Participating entity" refers to an individual or entity authorized by the treasurer of state to participate in the program under IC 20-51.4-5-2.

Sec. 9. "Program" refers to the Indiana education scholarship account program established by IC 20-51.4-3-1.

Sec. 10. "Public school" refers to a school maintained by a school corporation or a charter school.

Sec. 11. "Qualified expenses" refers to the following expenses related to the education of an eligible student for which scholarship money in an account may be used:

- (1) Tuition and fees at a qualified school, public school, or other participating entity.
- (2) Curricular materials required to be used by the eligible student at a qualified school, public school, or other participating entity.
- (3) Payment for the purchase of curricular materials or any supplemental materials required to administer the curriculum.
- (4) Fees for:
 - (A) national norm referenced or criterion referenced examinations;
 - (B) advanced placement examinations, Cambridge International courses, International Baccalaureate courses, or College-Level Examination Program (CLEP) examinations;
 - (C) any examinations necessary for admission to an approved postsecondary educational institution; or
 - (D) assessments associated with industry recognized credentials.
- (5) Educational services for an eligible student who is a student with a disability, provided in accordance with the eligible student's:
 - (A) individualized education program developed under IC 20-35 or service plan developed under 511 IAC 7-34; or
 - (B) plan established in accordance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.
- (6) Payments associated with the use of paraprofessional or educational aides.
- (7) Tuition and fees at an approved postsecondary educational institution or vocational school.
- (8) Curricular materials required for courses in which the eligible student is enrolled at an approved postsecondary educational institution.
- (9) Services contracted for and provided by a school corporation, charter school, or magnet school, including:
 - (A) individual classes; or
 - (B) extracurricular activities or programs.
- (10) Occupational therapy for a student with a disability, provided in accordance with the eligible student's individualized education program developed under IC 20-35 or service plan developed under 511 IAC 7-34.
- (11) Additional services and therapies prescribed by the eligible student's treating physician in accordance with generally accepted standards of care to improve outcomes for the student in addition to any services currently being provided by the school, insurance, or the Medicaid program.
- (12) Tuition, fees, instructional material, and examination fees at a career or technical school.
- (13) Computer hardware or other technological

devices one (1) time every three (3) years if used for an eligible student's educational needs and approved by the treasurer of state.

(14) Subject to IC 20-51.4-4-7, fees for transportation paid to a fee-for-service transportation provider for the eligible student to travel to and from an approved service provider.

(15) Costs of up to two hundred dollars (\$200) associated with obtaining a school uniform.

(16) Tuition and fees to attend training programs and camps that have a focus on:

- (A) vocational skills;
- (B) academic skills;
- (C) life skills;
- (D) independence; or
- (E) soft job skills that are character traits and interpersonal skills that characterize a person's relationships with other people.

(17) Fees for the management of the account, as described in IC 20-51.4-3-2(c).

(18) An expense approved by the council under IC 20-51.4-3-6.

Sec. 12. "Qualified school" refers to a nonpublic school accredited by either the state board or a national or regional accreditation agency that is recognized by the state board:

- (1) to which an eligible student is required to pay tuition to attend;
- (2) that agrees to enroll an eligible student; and
- (3) that administers the statewide assessment or an assessment that is correlated to the statewide assessment under IC 20-51.4-3-9.

Chapter 3. Administration of Indiana Education Scholarship Accounts

Sec. 1. The Indiana education scholarship account program is established to provide grants to a parent of an eligible student or an emancipated student under IC 20-51.4-4 after June 30, 2022.

Sec. 2. (a) The program shall be administered by the treasurer of state in consultation with the state board and the department.

(b) The treasurer of state may contract with one (1) or more entities to maintain and manage accounts established under IC 20-51.4-4-1 after issuing a request for proposal under IC 5-22-9. Each entity shall:

- (1) meet qualification requirements established by the treasurer of state; and
- (2) comply with generally accepted accounting principles.

(c) The treasurer of state shall establish reasonable fees for entities described in subsection (b) participating in the program based upon market rates.

Sec. 3. (a) The program is subject to annual audit by an independent public accounting firm retained by the treasurer of state.

(b) The treasurer of state shall promptly transmit copies of each annual audit to the governor and, in an electronic format under IC 5-14-6, the general assembly. Upon request, the treasurer of state shall make copies of the audit available to the public.

Sec. 4. (a) After June 30, 2022, the treasurer of state shall administer an annual survey of parents of eligible students and emancipated eligible students who maintain an account under IC 20-51.4-4-1. The survey must request information:

- (1) regarding when the account was established and the number of grants received;
- (2) relating to relative satisfaction with the program; and
- (3) regarding opinions on any topics, items, or issues that the treasurer of state determines may improve the effectiveness of the program or the education

experience of the eligible student or the eligible student's family.

(b) Not later than November 1, 2022, and each November 1 thereafter, the treasurer of state shall annually provide a summary of the survey administered under subsection (a) to the governor and, in an electronic format under IC 5-14-6, the legislative council.

Sec. 5. The treasurer of state shall provide online services and capabilities including, but not limited to, the following:

(1) A method for parents to submit an application agreement described in IC 20-51.4-4-1(a).

(2) A method for an eligible school and a participating entity to submit the intent of the eligible school or participating entity to participate in the program.

(3) A method for parents to identify and select eligible schools and participating entities participating in the program.

(4) A method for parents and participating entities to initiate and receive payments from an eligible student's account.

(5) A method for parents to rate the parent's experience with a participating entity and the ability for other parents of eligible students to see the rating.

(6) Methods that are intuitive and allow for contributions to be easily made to an eligible student's account.

(7) Resources the family of an eligible student described in IC 20-51.4-2-6(3)(A) or IC 20-51.4-2-6(3)(C) can access to learn about advocacy groups available to provide information and resources to the eligible student's family.

Sec. 6. Not later than July 1, 2023, the treasurer of state, in consultation with the state board and the department, shall establish a procedure to allow a parent of an eligible student or an emancipated eligible student to petition the council for the approval of an expense not listed under IC 20-51.4-2-11(1) through IC 20-51.4-2-11(17).

Sec. 7. (a) The Indiana education scholarship account program advisory council is established to:

(1) provide guidance on the implementation of the program as well as to provide recommendations for program improvements to the treasurer of state and, in an electronic format under IC 5-14-6, to the general assembly; and

(2) review a summary of the surveys administered by the treasurer of state under section 4 of this chapter and make recommendations to the department or, in an electronic format under IC 5-14-6, to the general assembly, to improve the educational experience offered by the program.

(b) The council consists of the following members:

(1) A representative of the treasurer of state's office, appointed by the treasurer of state.

(2) A representative of the department, appointed by the secretary of education.

(3) A representative of the Indiana Council of Administrators of Special Education (ICASE), appointed by the secretary of education.

(4) One (1) member who is a representative of a statewide advocacy organization for individuals with intellectual and developmental disabilities, appointed by the treasurer of state.

(5) One (1) member who is a representative of an organization advocating for foster children, appointed by the treasurer of state.

(6) One (1) member who is a representative of an organization advocating for military families, appointed by the treasurer of state.

(7) One (1) member who must be the parent of an eligible student described in IC 20-51.4-2-6(3)(A), appointed by the president pro tempore of the senate.

(8) One (1) member who must be the parent of an eligible student described in IC 20-51.4-2-6(3)(B), appointed by the president pro tempore of the senate.

(9) One (1) member who must be the parent of an eligible student described in IC 20-51.4-2-6(3)(C), appointed by the president pro tempore of the senate.

(10) Two (2) members who are parents of an eligible student described in IC 20-51.4-2-6(3)(A), IC 20-51.4-2-6(3)(B), or IC 20-51.4-2-6(3)(C), appointed by the speaker of the house of representatives.

(11) One (1) member who is a representative of nonpublic schools appointed by the secretary of education.

(12) One (1) member who is an eligible student, appointed by the speaker of the house of representatives.

(c) The member described in subsection (b)(1) shall act as chairperson of the council. The council shall meet at the call of the chairperson. The treasurer of state shall provide staffing support for the council. A majority of the entire membership of the council shall constitute a quorum. No action of the council shall be valid unless approved by at least seven (7) members.

(d) The council shall make recommendations to the treasurer of state regarding the establishment of a program handbook.

Sec. 8. (a) The department shall provide services that offer objective advice upon request to parents of an eligible student or an emancipated eligible student relating to services that can help meet the eligible student's or emancipated eligible student's particular needs.

(b) The department may contract with a third party provider to provide the services described in subsection (a).

Sec. 9. The department shall maintain a list of assessments that are correlated to the statewide assessment, and upon request from a school, perform an assessment correlation if the assessment correlation is feasible.

Chapter 4. Indiana Education Scholarship Accounts

Sec. 1. (a) After June 30, 2022, a parent of an eligible student or an emancipated eligible student may establish an Indiana education scholarship account for the eligible student by entering into a written agreement with the treasurer of state on a form prepared by the treasurer of state. The treasurer of state shall establish a date by which an application to establish an account for the 2022-2023 school year must be submitted. However, for a school year beginning after July 1, 2022, applications must be submitted for an eligible student not later than April 1 for the immediately following school year. The account of an eligible student shall be made in the name of the eligible student. The treasurer of state shall make the agreement available on the Internet web site of the treasurer of state. To be eligible, a parent of an eligible student or an emancipated eligible student wishing to participate in the program must agree that:

(1) a grant deposited in the eligible student's account under section 2 of this chapter and any interest that may accrue in the account will be used only for the eligible student's qualified expenses;

(2) money in the account when the account is terminated reverts to the state tuition reserve account established by IC 4-12-1-15.7;

(3) the parent of the eligible student or the emancipated eligible student will use part of the money in the account:

(A) for the eligible student's study in the subject of reading, grammar, mathematics, social studies, or science; or

(B) for use in accordance with the eligible student's:

- (i) individualized education program;
- (ii) service plan developed under 511 IAC 7-34;
- (iii) choice special education plan developed under 511 IAC 7-49; or
- (iv) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794; and

(4) the eligible student will not be enrolled in a school that receives tuition support under IC 20-43.

(b) A parent of an eligible student may enter into a separate agreement under subsection (a) for each child of the parent. However, not more than one (1) account may be established for each eligible student.

(c) The account must be established under subsection (a) by a parent of an eligible student or an emancipated eligible student for a school year on or before a date established by the treasurer of state, which must be at least thirty (30) days before the fall ADM count date established by the state board under IC 20-43-4-3. A parent of an eligible student or an emancipated eligible student may not enter into an agreement under this section or maintain an account under this chapter if the eligible student receives a choice scholarship under IC 20-51-4 for the same school year. An eligible student may not receive a grant under section 3 of this chapter if the eligible student is currently included in a school corporation's ADM count under IC 20-43-4.

(d) Except as provided in subsections (e) and (f), an agreement made under this section is valid for one (1) school year while the eligible student is in kindergarten through grade 12 and may be renewed annually, and money in the account at the end of the school year remains in the account. Upon graduation or receipt of a certificate of completion under the eligible student's individualized education program, the parent of an eligible student or an emancipated eligible student shall annually renew the account and may elect to keep the account open until the money in the account is depleted or the account is terminated. However, money in the account may not be used for anything other than qualified expenses.

(e) An agreement entered into under this section terminates automatically for an eligible student if:

- (1) the eligible student no longer resides in Indiana while the eligible student is eligible to receive grants under section 2 of this chapter; or
- (2) the account is not renewed within three hundred ninety-five (395) days after the date the account was either established or last renewed.

If an account is terminated under this section, money in the eligible student's account, including any interest accrued, reverts to the state tuition reserve account.

(f) An agreement made under this section for an eligible student while the eligible student is in kindergarten through grade 12 may be terminated before the end of the school year if the parent of the eligible student or the emancipated eligible student notifies the treasurer of state in a manner specified by the treasurer of state.

(g) A distribution made to an account under section 3 of this chapter is considered tax exempt as long as the distribution is used for a qualified expense. The amount is subtracted from the definition of adjusted income under IC 6-3-1-3.5 to the extent the distribution used for the qualified expense is included in the taxpayer's adjusted federal gross income under the Internal Revenue Code.

(h) The department shall establish a student test number as described in IC 20-19-3-9.4 for each eligible student. The treasurer of state shall provide the department information necessary for the department to comply with this subsection.

Sec. 2. (a) An eligible student who currently maintains an account is entitled to an annual grant amount for each school year until the student graduates or obtains a certificate of completion under the student's individualized

education program. An eligible student may not receive a grant under this section after graduating or obtaining a certificate of completion. The annual grant amount shall be paid from the amount appropriated as state tuition support under IC 20-43-2-1. The treasurer of state, with notice to the department, shall deposit the annual grant amount under this section, in quarterly deposits, into an eligible student's account in a manner established by the treasurer of state. The treasurer of state may deduct an amount of not more than one and five-tenths percent (1.5%) from each quarterly distribution to accounts under this article to cover the costs of managing the accounts and administering the program. However, the amount deducted under this subsection may not exceed a maximum annual fee amount of two hundred fifty thousand dollars (\$250,000). The administrative fees collected under this subsection must be reduced proportionately in a manner necessary to comply with the maximum annual fee amount requirements.

(b) At the end of the year in which an account is established, the parent of an eligible student or the emancipated eligible student may roll over for use in a subsequent year a maximum of two thousand dollars (\$2,000). However, for each year thereafter, the parent of the eligible student or the emancipated student may roll over two thousand dollars (\$2,000) plus any amount rolled over in a previous year.

Sec. 3. (a) Subject to sections 4 and 11 of this chapter, the annual grant amount under section 2 of this chapter for an eligible student equals, subject to subsection (b), ninety percent (90%) of the amount determined in the last STEP of the following formula:

STEP ONE: Determine the school corporation in which the eligible student has legal settlement.

STEP TWO: Determine the amount of state tuition support that the school corporation identified under STEP ONE is eligible to receive under IC 20-43-6 for the state fiscal year in which the immediately preceding school year begins. The amount does not include amounts provided for special education grants under IC 20-43-7, career and technical education grants under IC 20-43-8, or grants under IC 20-43-10.

STEP THREE: Determine the result of:

- (A) the STEP TWO amount; divided by
- (B) the current ADM (as defined in IC 20-43-1-10) for the school corporation identified under STEP ONE for the state fiscal year used in STEP TWO.

(b) An eligible student may choose to receive special education services from the school corporation required to provide the special education services to the eligible student under 511 IAC 7-34-1. However, if an eligible student described in subsection (a) chooses not to receive special education or related services from a school corporation required to provide the services to the eligible student under 511 IAC 7-34-1, the annual grant amount for the eligible student shall, in addition to the amount described in subsection (a), include the amount the school corporation would receive under IC 20-43-7 for the eligible student if the eligible student attended the school corporation.

(c) The annual grant amounts provided in subsection (a) shall be rounded as provided in IC 20-43-3-1(4).

Sec. 4. If an eligible student's agreement under section 1 of this chapter is in effect for less than an entire school year, the annual grant amount provided under section 2 of this chapter for that school year shall be reduced on a prorated basis in a manner prescribed by the treasurer of state to reflect the length of the agreement. In the event an eligible student's account is terminated because the eligible student enrolls in a school that receives tuition support under IC 20-43, the balance in the account at the time the account is terminated shall be transferred to the school corporation or charter school in which the eligible student enrolls.

Sec. 5. Upon entering into or renewing an agreement under this chapter, the treasurer of state shall provide to the parent of an eligible student or an emancipated eligible student a written explanation of the authorized uses of the money in the account and the responsibilities of the parent of an eligible student or an emancipated eligible student and the treasurer of state regarding an account established under section 1 of this chapter.

Sec. 6. This chapter does not prohibit a parent of an eligible student or an emancipated eligible student from making a payment for any qualified expense from a source other than the eligible student's account. The parent of an eligible student or an emancipated eligible student is responsible for the payment of any tuition required by a qualified school that is not paid from the eligible student's account.

Sec. 7. A parent of an eligible student or an emancipated eligible student may use not more than seven hundred fifty dollars (\$750) of the annual grant amount received under this chapter each school year for fees for transportation paid to a fee-for-service transportation provider for the eligible student to travel to and from an approved service provider. However, the treasurer of state, in consultation with the department, shall establish criteria and a process by which a parent of an eligible student described in IC 20-51.4-2-6(3)(A) may receive a waiver from the limit imposed on transportation fees under this section.

Sec. 8. (a) A participating entity that receives a payment for a qualified expense may not:

- (1) refund any part of the payment to the parent of the eligible student or the emancipated eligible student unless the refund is for an item that has been returned to the place of original purchase or is for an item or service that has not been provided by the participating entity; or
- (2) rebate or otherwise share any part of the payment with the parent of the eligible student or the emancipated eligible student who made the payment.

(b) A parent of an eligible student or an emancipated eligible student who receives a refund under subsection (a) shall deposit the refund into the account from which the money was paid.

Sec. 9. (a) The treasurer of state shall freeze the account established under section 1 of this chapter of any parent of an eligible student or an emancipated eligible student who:

- (1) fails to comply with the terms of the agreement established under section 1 of this chapter;
- (2) fails to comply with applicable laws or regulations; or
- (3) substantially misuses funds in the account.

(b) The treasurer of state shall send written notice to the parent of the eligible student or the emancipated eligible student stating the reason for the freeze under subsection (a). The treasurer of state may also send notice to the attorney general or the prosecuting attorney in the county in which the parent of the eligible student or the emancipated eligible student resides if the treasurer of state believes a crime has been committed or a civil action relating to the account is necessary.

(c) A parent of an eligible student or an emancipated eligible student whose account has been frozen under subsection (a) may petition the treasurer of state for redetermination of the decision under subsection (a) within thirty (30) days after the date the treasurer of state sends notice to the parent of the eligible student or the emancipated eligible student under subsection (b). The petition must contain a written explanation stating why the treasurer of state was incorrect in freezing the account under subsection (a). If the treasurer of state does not receive a timely submitted petition from a parent of an eligible student or an emancipated eligible student under

this subsection, the treasurer of state shall terminate the account.

(d) The treasurer of state shall review a petition received under subsection (c) within fifteen (15) business days of receipt of the petition and issue a redetermination letter to the parent of the eligible student or the emancipated eligible student. If the treasurer of state overturns the treasurer of state's initial decision under subsection (a), the treasurer of state shall immediately unfreeze the account. If the treasurer of state affirms the decision under subsection (a), the treasurer of state shall give notice of the affirmation to the parent of the eligible student or the emancipated eligible student and terminate the account.

Sec. 10. Notwithstanding 511 IAC 7-34-1(d)(4), a public school is not required to make available special education and related services to an eligible student if the eligible student receives funds under section 2 of this chapter and the special education services are provided to the eligible student by the participating entity. This section may not be construed as a restriction or limitation on any of the rights, benefits, and protections granted to an individual under the federal Individuals with Disabilities Education Improvement Act of 2004 (20 U.S.C. 1400 et seq.).

Sec. 11. Distributions made to an account under section 2 of this chapter or money in the account may not be treated as income or a resource for purposes of qualifying for any other federal or state grant or program administered by the state or a political subdivision.

Chapter 5. Participating Entities

Sec. 1. It is the intent of the general assembly to honor the autonomy of nonpublic schools that choose and are authorized to become participating entities under this article. A nonpublic eligible school is not an agent of the state or federal government, and therefore:

- (1) the treasurer of state, state board, department, or any other state agency may not in any way regulate the educational program of a nonpublic school that accepts money from an account under this article, including the regulation of curriculum content, religious instruction or activities, classroom teaching, teacher and staff hiring requirements, and other activities carried out by the nonpublic school;
- (2) the creation of the program does not expand the regulatory authority of the state or the state's officers to impose additional regulation of nonpublic schools beyond those necessary to enforce the requirements of the program; and
- (3) an accredited nonpublic school that is a participating entity may provide for the educational needs of students without governmental control.

Sec. 2. (a) The following individuals or entities may become a participating entity by submitting an application to the treasurer of state in a manner prescribed by the treasurer of state:

- (1) A qualified school.
- (2) An approved postsecondary educational institution.
- (3) An individual who or tutoring agency that provides private tutoring.
- (4) An individual who or entity that provides services to a student with a disability in accordance with an individualized education program developed under IC 20-35 or a service plan developed under 511 IAC 7-34 or generally accepted standards of care prescribed by the eligible student's treating physician.
- (5) An individual who or entity that offers a course, program, or distance learning program to an eligible student.
- (6) A licensed occupational therapist.

(b) The treasurer of state shall approve an application submitted under subsection (a) if the individual or entity meets the criteria to serve as a participating entity.

(c) If it is reasonably expected by the treasurer of state that a participating entity will receive, from payments made under the program, more than fifty thousand dollars (\$50,000) during a particular school year, the participating entity shall, on or before a date prescribed by the treasurer of state:

- (1) post a surety bond in an amount equal to the amount expected to be paid to the participating entity under the program for the particular school year; or
- (2) provide the treasurer of state evidence, in a manner prescribed by the treasurer of state, indicating that the participating entity has unencumbered assets sufficient to pay the treasurer of state an amount equal to the amount expected to be paid to the participating entity under the program during the particular school year.

(d) Each participating entity that accepts payments made from an account under this article shall provide a receipt to the parent of an eligible student or to the emancipated eligible student for each payment made.

Sec. 3. (a) Each qualified school that is a participating entity that accepts payments for tuition and fees made from an account under the program shall administer to its eligible students the statewide assessment or an assessment that is correlated to the statewide assessment unless otherwise prescribed by the eligible student's:

- (1) individualized education program;
- (2) service plan developed under 511 IAC 7-34;
- (3) choice special education plan developed under 511 IAC 7-49; or
- (4) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

(b) Upon receipt of the statewide assessment or an assessment that is correlated to the statewide assessment test results, the department shall, subject to the federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g) and any regulations adopted under that act:

- (1) aggregate the statewide assessment or an assessment that is correlated to the statewide assessment test results according to the grade level, gender, race, and family income level of all eligible students; and
- (2) make the results determined under subdivision (1) available on the department's Internet web site.

Sec. 4. (a) The treasurer of state may refuse to allow a participating entity to continue participation in the program and revoke the participating entity's status as a participating entity if the treasurer of state determines that the participating entity accepts payments made from an account under this article and:

- (1) has failed to provide any educational service required by state or federal law to an eligible student receiving instruction from the participating entity; or
- (2) has routinely failed to meet the requirements of a participating entity under the program.

(b) If the treasurer of state revokes a participating entity's status as a participating entity in the program, the treasurer of state shall provide notice of the revocation within thirty (30) days of the revocation to each parent of an eligible student and to each emancipated eligible student receiving instruction from the participating entity who has paid the participating entity from the eligible student's account.

(c) The treasurer of state may permit a former participating entity described in subsection (a) to reapply with the treasurer of state for authorization to be a participating entity on a date established by the treasurer of state, which may not be earlier than one (1) year after the date on which the former participating entity's status as a participating entity was revoked under subsection (a). The treasurer of state may establish reasonable criteria or requirements that the former participating entity must meet

before being reapproved by the treasurer of state as a participating entity.

Sec. 5. An approved participating entity:

- (1) may not charge an eligible student participating in the program an amount greater than a similarly situated student who is receiving the same or similar services; and
- (2) shall provide a receipt to a parent of an eligible student or an emancipated eligible student for each qualified expense charged for education or related services provided to the eligible student.

Sec. 6. The treasurer of state shall annually make available on the treasurer of state's Internet web site a list of participating entities.

Chapter 6. Rulemaking

Sec. 1. (a) The treasurer of state shall adopt rules under IC 4-22-2 necessary to administer this article.

(b) The state board shall adopt rules under IC 4-22-2 to establish a procedure to establish an Indiana education scholarship account education service plan for an eligible student defined in IC 20-51.4-2-6(3)(A).

SECTION 130. IC 21-18.5-4-3, AS AMENDED BY P.L.81-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. For purposes of administering this chapter, the commission shall do the following:

- (1) Prepare and supervise the issuance of public information concerning this chapter, IC 21-12-2, IC 21-12-3, and IC 21-12-4.
- (2) Prescribe the form and regulate the submission of applications for higher education awards and the commission's programs.
- (3) Conduct conferences and interviews with applicants as appropriate.
- (4) Determine the eligibility of applicants.
- (5) Select qualified applicants.
- (6) Determine annually the maximum higher education award (IC 21-12-3) and freedom of choice award (IC 21-12-4), **with any increases** subject to approval by the budget agency. ~~with review by the budget committee.~~
- (7) Determine the respective amounts of, and award, the appropriate higher education awards, grants, and scholarships.
- (8) Determine eligibility for, and award, annual renewals of higher education awards, grants, and scholarships.
- (9) Act as the designated state agency for participation in any federal program for reinsurance of student loans.
- (10) Receive federal funds made available to the commission for awards, grants, and scholarships, and disburse these funds in the manner prescribed by federal law.
- (11) One (1) time every year, submit a report to the legislative council that provides data and statistical information regarding the number of individuals who received assistance under IC 21-12-6 and IC 21-12-6.5. The report made to the legislative council must be in an electronic format under IC 5-14-6.
- (12) One (1) time every year, submit a report to the budget committee that provides data and statistical information regarding the number of individuals who received assistance under IC 21-12, IC 21-13, and IC 21-14.

SECTION 131. IC 33-34-8-3, AS AMENDED BY P.L.39-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) Payment for all costs made as a result of proceedings in a small claims court shall be to the _____ Township of Marion County Small Claims Court (with the name of the township inserted). The court shall issue a receipt for all money received on a form numbered serially in duplicate.

(b) This subsection applies only to a low caseload court (as

defined in section 5 of this chapter). All township docket fees and late fees received by the court shall be paid to the township trustee at the close of each month.

(c) This subsection does not apply to a low caseload court. This subsection applies to all other township small claims courts in Marion County. One dollar and fifty cents (\$1.50) of the township docket fee shall be paid to the township trustee of each low caseload court at the end of each month. The remaining township docket fees and late fees received by the court shall be paid to the township trustee at the close of each month.

(d) The court shall:

(1) semiannually distribute to the auditor of state:

- (A) all automated record keeping fees (IC 33-37-5-21) received by the court for deposit in the homeowner protection unit account established by IC 4-6-12-9 and the state user fee fund established under IC 33-37-9;
- (B) all public defense administration fees collected by the court under IC 33-37-5-21.2 for deposit in the state general fund;
- (C) sixty percent (60%) of all court administration fees collected by the court under IC 33-37-5-27 for deposit in the state general fund;
- (D) all judicial insurance adjustment fees collected by the court under IC 33-37-5-25 for deposit in the ~~judicial branch insurance adjustment account established by IC 33-38-5-8.2; the state general fund.~~
- (E) seventy-five percent (75%) of all judicial salaries fees collected by the court under IC 33-37-5-26 for deposit in the state general fund; and
- (F) one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2022, by the court under IC 33-37-5-31; and

(2) distribute monthly to the county auditor all document storage fees received by the court.

The remaining twenty-five percent (25%) of the judicial salaries fees described in subdivision (1)(E) shall be deposited monthly in the township general fund of the township in which the court is located. The county auditor shall deposit fees distributed under subdivision (2) into the clerk's record perpetuation fund under IC 33-37-5-2.

(e) The court semiannually shall pay to the township trustee of the township in which the court is located the remaining forty percent (40%) of the court administration fees described under subsection (d)(1)(C) to fund the operations of the small claims court in the trustee's township.

SECTION 132. IC 33-37-5-25, AS AMENDED BY P.L.1-2006, SECTION 510, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 25. (a) This subsection does not apply to the following:

- (1) A criminal proceeding.
- (2) A proceeding to enforce a statute defining an infraction.
- (3) A proceeding for an ordinance violation.

In each action filed in a court described in IC 33-37-1-1, the clerk shall collect a judicial insurance adjustment fee of one dollar (\$1) **and deposit the amount collected in the state general fund.**

(b) In each action in which a person is:

- (1) convicted of an offense;
- (2) required to pay a pretrial diversion fee;
- (3) found to have committed an infraction; or
- (4) found to have violated an ordinance;

the clerk shall collect a judicial insurance adjustment fee of one dollar (\$1) **and deposit the amount collected in the state general fund.**

SECTION 133. IC 33-37-7-2, AS AMENDED BY P.L.156-2020, SECTION 124, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The clerk of a circuit court shall distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection

unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and for deposit in the state general fund seventy percent (70%) of the amount of fees collected under the following:

- (1) IC 33-37-4-1(a) (criminal costs fees).
- (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- (3) IC 33-37-4-3(a) (juvenile costs fees).
- (4) IC 33-37-4-4(a) (civil costs fees).
- (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- (6) IC 33-37-4-7(a) (probate costs fees).
- (7) IC 33-37-5-17 (deferred prosecution fees).

(b) The clerk of a circuit court shall distribute semiannually to the auditor of state for deposit in the state user fee fund established in IC 33-37-9-2 the following:

- (1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).
 - (2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).
 - (3) One hundred percent (100%) of the child abuse prevention fees collected under IC 33-37-4-1(b)(7).
 - (4) One hundred percent (100%) of the domestic violence prevention and treatment fees collected under IC 33-37-4-1(b)(8).
 - (5) One hundred percent (100%) of the highway worksite zone fees collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).
 - (6) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.
 - (7) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21 not distributed under subsection (a).
- (c) The clerk of a circuit court shall distribute monthly to the county auditor the following:
- (1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).
 - (2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free community fund established under IC 5-2-11.

(d) The clerk of a circuit court shall distribute monthly to the county auditor one hundred percent (100%) of the late payment fees collected under IC 33-37-5-22. The county auditor shall deposit fees distributed by a clerk under this subsection as follows:

- (1) If directed to do so by an ordinance adopted by the county fiscal body, the county auditor shall deposit forty percent (40%) of the fees in the clerk's record perpetuation fund established under IC 33-37-5-2 and sixty percent (60%) of the fees in the county general fund.
- (2) If the county fiscal body has not adopted an ordinance described in subdivision (1), the county auditor shall deposit all the fees in the county general fund.

(e) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in the sexual assault victims assistance fund established by IC 5-2-6-23(d) one hundred percent (100%) of the sexual assault victims assistance fees collected under IC 33-37-5-23.

(f) The clerk of a circuit court shall distribute monthly to the county auditor the following:

- (1) One hundred percent (100%) of the support and

maintenance fees for cases designated as non-Title IV-D child support cases in the Indiana support enforcement tracking system (ISETS) or the successor statewide automated support enforcement system collected under IC 33-37-5-6.

(2) The percentage share of the support and maintenance fees for cases designated as Title IV-D child support cases in ISETS or the successor statewide automated support enforcement system collected under IC 33-37-5-6 that is reimbursable to the county at the federal financial participation rate.

The county clerk shall distribute monthly to the department of child services the percentage share of the support and maintenance fees for cases designated as Title IV-D child support cases in ISETS, or the successor statewide automated support enforcement system, collected under IC 33-37-5-6 that is not reimbursable to the county at the applicable federal financial participation rate.

(g) The clerk of a circuit court shall distribute monthly to the county auditor the following:

(1) One hundred percent (100%) of the small claims service fee under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2) for deposit in the county general fund.

(2) One hundred percent (100%) of the small claims garnishee service fee under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for deposit in the county general fund.

(3) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18 for deposit in the county general fund.

(h) This subsection does not apply to court administration fees collected in small claims actions filed in a court described in IC 33-34. The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the state general fund one hundred percent (100%) of the following:

(1) The public defense administration fee collected under IC 33-37-5-21.2.

(2) The judicial salaries fees collected under IC 33-37-5-26.

(3) The DNA sample processing fees collected under IC 33-37-5-26.2.

(4) The court administration fees collected under IC 33-37-5-27.

(5) The judicial insurance adjustment fee collected under IC 33-37-5-25.

~~(i) The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent (100%) of the judicial insurance adjustment fee collected under IC 33-37-5-25.~~

~~(j) (i) The proceeds of the service fee collected under IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2) shall be distributed as follows:~~

~~(1) The clerk shall distribute one hundred percent (100%) of the service fees collected in a circuit, superior, county, or probate court to the county auditor for deposit in the county general fund.~~

~~(2) The clerk shall distribute one hundred percent (100%) of the service fees collected in a city or town court to the city or town fiscal officer for deposit in the city or town general fund.~~

~~(k) (j) The proceeds of the garnishee service fee collected under IC 33-37-5-28(b)(3) or IC 33-37-5-28(b)(4) shall be distributed as follows:~~

~~(1) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in a circuit, superior, county, or probate court to the county auditor for deposit in the county general fund.~~

~~(2) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in a city or town court to the city or town fiscal officer for deposit in the~~

city or town general fund.

~~(k) (k) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in the home ownership education account established by IC 5-20-1-27 one hundred percent (100%) of the following:~~

~~(1) The mortgage foreclosure counseling and education fees collected under IC 33-37-5-33 (before its expiration on July 1, 2017).~~

~~(2) Any civil penalties imposed and collected by a court for a violation of a court order in a foreclosure action under IC 32-30-10.5.~~

~~(m) (l) The clerk of a circuit court shall distribute semiannually to the auditor of state one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2022, under IC 33-37-5-31. The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar Foundation (or a successor entity) as the entity designated to organize and administer the interest on lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the Indiana supreme court. The Indiana Bar Foundation shall:~~

~~(1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and~~

~~(2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish approved pro bono legal services programs.~~

The handling and expenditure of the pro bono legal services fees received under this section by the Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The amounts necessary to make the transfers required by this subsection are appropriated from the state general fund.

SECTION 134. IC 33-37-7-8, AS AMENDED BY P.L.144-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. (a) The clerk of a city or town court shall distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and for deposit in the state general fund fifty-five percent (55%) of the amount of fees collected under the following:

(1) IC 33-37-4-1(a) (criminal costs fees).

(2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

(3) IC 33-37-4-4(a) (civil costs fees).

(4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

(5) IC 33-37-5-17 (deferred prosecution fees).

(b) The city or town fiscal officer shall distribute monthly to the county auditor as the county share twenty percent (20%) of the amount of fees collected under the following:

(1) IC 33-37-4-1(a) (criminal costs fees).

(2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

(3) IC 33-37-4-4(a) (civil costs fees).

(4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

(5) IC 33-37-5-17 (deferred prosecution fees).

(c) The city or town fiscal officer shall retain twenty-five percent (25%) as the city or town share of the fees collected under the following:

(1) IC 33-37-4-1(a) (criminal costs fees).

(2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

(3) IC 33-37-4-4(a) (civil costs fees).

(4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

(5) IC 33-37-5-17 (deferred prosecution fees).

(d) The clerk of a city or town court shall distribute semiannually to the auditor of state for deposit in the state user fee fund established in IC 33-37-9 the following:

(1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).

(2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

(3) One hundred percent (100%) of the highway worksite zone fees collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).

(4) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.

(5) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21 not distributed under subsection (a).

(e) The clerk of a city or town court shall distribute monthly to the county auditor the following:

(1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).

(2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free community fund established under IC 5-2-11.

(f) The clerk of a city or town court shall distribute monthly to the city or town fiscal officer (as defined in IC 36-1-2-7) one hundred percent (100%) of the following:

(1) The late payment fees collected under IC 33-37-5-22.

(2) The small claims service fee collected under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).

(3) The small claims garnishee service fee collected under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3).

(4) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18.

The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit fees distributed by a clerk under this subsection in the city or town general fund.

(g) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in the state general fund one hundred percent (100%) of the following:

(1) The public defense administration fee collected under IC 33-37-5-21.2.

(2) The DNA sample processing fees collected under IC 33-37-5-26.2.

(3) The court administration fees collected under IC 33-37-5-27.

(4) The judicial insurance adjustment fee collected under IC 33-37-5-25.

(h) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in the judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent (100%) of the judicial insurance adjustment fee collected under IC 33-37-5-25.

(i) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in the state general fund seventy-five percent (75%) of the judicial salaries fee collected under IC 33-37-5-26. The city or town fiscal officer shall retain twenty-five percent (25%) of the judicial salaries fee collected under IC 33-37-5-26. The funds retained by the city or town shall be prioritized to fund city or town court operations.

(j) The clerk of a city or town court shall distribute semiannually to the auditor of state one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2022, under IC 33-37-5-31. The auditor of state shall transfer

semiannually the pro bono legal services fees to the Indiana Bar Foundation (or a successor entity) as the entity designated to organize and administer the interest on lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the Indiana supreme court. The Indiana Bar Foundation shall:

(1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and

(2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish approved pro bono legal services programs.

The handling and expenditure of the pro bono legal services fees received under this section by the Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The amounts necessary to make the transfers required by this subsection are appropriated from the state general fund.

SECTION 135. IC 33-38-5-8.2, AS AMENDED BY P.L.2-2005, SECTION 110, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8.2. (a) As used in this section, "account" refers to the judicial branch insurance adjustment account established by subsection (d):

(b) As used in this section, "employees of the judicial branch" includes the following:

(1) Each judge described in section 6 of this chapter.

(2) Each magistrate:

(A) described in section 7 of this chapter; and

(B) receiving a salary under IC 33-23-5-10.

(3) Each justice and judge described in section 8 of this chapter.

(4) The judge described in IC 33-26.

(5) A prosecuting attorney whose entire salary is paid by the state.

(c) Employees of the judicial branch are entitled to a health care adjustment in any year that the governor provides a health care adjustment to employees of the executive branch.

(d) The judicial branch insurance adjustment account within the state general fund is established for the purpose of providing health care adjustments under subsection (c). The account shall be administered by the supreme court.

(e) The expenses of administering the account shall be paid from money in the account.

(f) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(g) Money in the account at the end of a state fiscal year does not revert to the state general fund.

(h) Money in the account is annually appropriated to the supreme court for the purpose of this section.

(i) If the funds appropriated for compliance with this section are insufficient, there is annually appropriated from the state general fund sufficient funds to carry out the purpose of this section.

SECTION 136. IC 35-52-6-56.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 56.1. IC 6-7-4-9 defines a crime concerning the electronic cigarette tax.

SECTION 137. IC 35-52-6-56.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 56.2. IC 6-7-4-10 defines a crime concerning the electronic cigarette tax.

SECTION 138. IC 36-7.6-3-5, AS AMENDED BY P.L.237-2017, SECTION 48, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) A development authority shall prepare a comprehensive strategic development plan that includes detailed information concerning the following:

- (1) The proposed projects to be undertaken or financed by the development authority.
- (2) The following information for each project included under subdivision (1):
 - (A) Timeline and budget.
 - (B) The return on investment.
 - (C) The projected or expected need for an ongoing subsidy.
 - (D) Any projected or expected federal matching funds.

(b) The development authority shall, not later than January 1 of the second year following the year in which the development authority is established, submit the comprehensive strategic development plan for review by the budget committee and approval by the director of the office of management and budget and the Indiana economic development corporation. However, a development authority that has already submitted its comprehensive strategic development plan as part of an application for a grant or a loan under IC 5-28-37 (before its repeal) or IC 5-28-38 (**before its repeal**) is not required to resubmit its comprehensive strategic development plan under this subsection.

SECTION 139. P.L.108-2019, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2021]: SECTION 249. (a) The definitions of "vacation leave", "sick leave", and other types of leave used on July 1, 2010, by the department apply to this SECTION.

(b) As used in this SECTION, "department" refers to the state personnel department established by IC 4-15-2.2-13.

(c) As used in this SECTION, "pilot program" refers to the pilot program reestablished under subsection (d).

(d) The personnel committee of the legislative council for the legislative branch of state government or the Indiana supreme court for the judicial branch of state government, or both, may reestablish the pilot program established by P.L.220-2005, SECTION 8 (before its expiration), and P.L.220-2005, SECTION 10 (before its expiration), including provisions adopted by:

- (1) the deferred compensation committee (established by IC 5-10-1.1-4) to govern the pilot program;
- (2) the department under LSA Document #06-488(E) (before its expiration), filed with the publisher of the Indiana Register on October 16, 2006, to govern the pilot program; or
- (3) the auditor of state to administer the pilot program.

(e) Subject to the Internal Revenue Code and applicable regulations, the personnel committee of the legislative council or the Indiana supreme court, or both, may adopt procedures to implement and administer the pilot program, including provisions established or reestablished under subsection (d).

(f) The auditor of state shall provide for the administration of the pilot program.

(g) This SECTION expires June 30, ~~2021~~, 2023.

SECTION 140. [EFFECTIVE UPON PASSAGE] (a) **One hundred ten million dollars (\$110,000,000) is appropriated from the state general fund to the budget agency for the state fiscal year ending June 30, 2021, to defease any remaining bonds issued by the state office building commission, the recreational development commission, or the state fair commission.**

(b) **Money appropriated under this section may not be used for any other purpose.**

(c) **This SECTION expires June 30, 2022.**

SECTION 141. [EFFECTIVE UPON PASSAGE] (a) **For the state fiscal year beginning July 1, 2020, and ending June 30, 2021, the budget agency may augment the county jail maintenance contingency fund appropriation from the state**

general fund by an amount necessary to cover jail and parole holds. Any augmentation may only be used to pay for additional jail and parole holds and may not be used to provide additional funding to sheriffs for persons convicted of Level 6 felonies or to increase the jail and parole hold per diem above thirty-seven dollars and fifty cents (\$37.50).

(b) **This SECTION expires June 30, 2022.**

SECTION 142. [EFFECTIVE JULY 1, 2021] (a) **The following definitions apply throughout this SECTION:**

(1) **"Department" means the Indiana department of gaming research established by IC 4-33-18-2, before its amendment by this act.**

(2) **"Commission" means the Indiana gaming commission established under IC 4-33.**

(3) **"Gaming research division" means the gaming research division of the commission established by IC 4-33-18-2, as amended by this act.**

(b) **On July 1, 2021, all functions, powers, authorities, duties, agreements, and liabilities of the department are transferred to the gaming research division.**

(c) **On July 1, 2021, all records, property, and funds under the control of the department are transferred to the gaming research division.**

(d) **Employees of the department on June 30, 2021, become employees of the gaming research division on July 1, 2021.**

(e) **After June 30, 2021, a reference to the department in any statute, rule, or other document is considered a reference to the gaming research division.**

SECTION 143. [EFFECTIVE UPON PASSAGE] (a) **Any balance in the exoneration fund established by IC 5-2-23-7, as repealed by this act, shall be transferred to the state general fund on June 30, 2021.**

(b) **This SECTION expires July 1, 2021.**

SECTION 144. [EFFECTIVE UPON PASSAGE] (a) **Any balance in the judicial branch insurance adjustment account established by IC 33-38-5-8.2(d), before its elimination by this act, shall be transferred to the state general fund on June 30, 2021.**

(b) **This SECTION expires July 1, 2021.**

SECTION 145. P.L.108-2019, SECTION 255, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION 255. (a) Notwithstanding IC 4-13-2-19 or any other law, any part of an appropriation made for the legislative council and the legislative services agency, in a state fiscal year beginning after June 30, 2018, and ending before July 1, ~~2020~~, 2022, that is unexpended and unencumbered at the close of that state fiscal year does not lapse and is not returned to the state general revenue fund but remains available for expenditure during either state fiscal year in ~~the a~~ **a** biennium beginning ~~July 1, 2019, after June 30, 2019, and ending June 30, 2021; before July 1, 2023.~~ **July 1, 2019, after June 30, 2019, and ending June 30, 2021; before July 1, 2023.** The unexpended and unencumbered amount may be used to supplement the amounts appropriated in this act for each state fiscal year in the biennium and shall be allotted, as requested by the executive director of the legislative services agency, for the total operating expenses of the legislative council or the legislative services agency, or both.

(b) **This SECTION expires June 30, 2021; July 1, 2023.**

SECTION 146. **An emergency is declared for this act.**
(Reference is to HB 1001 as introduced.)

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1177, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code

concerning human services.

Page 1, delete lines 1 through 6.

Page 1, line 7, delete "IC 16-46-17" and insert "IC 12-9.1-5".

Page 1, line 10, delete "17." and insert "5".

Page 1, line 11, delete "state department" and insert "division".

Page 3, delete lines 30 through 42, begin a new paragraph and insert:

"Sec. 3. (a) Beginning December 1, 2021, the division shall submit annually:

(1) a summary of the dementia strategic plan; and

(2) a report concerning outcomes from implementation of the dementia strategic plan;

to the general assembly.

(b) The dementia strategic plan and report required under subsection (a) must be submitted in an electronic format under IC 5-14-6."

Delete pages 4 through 5.

Renumber all SECTIONS consecutively.

(Reference is to HB 1177 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1369, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 20 with "[EFFECTIVE MARCH 30, 2022]".

Replace the effective dates in SECTIONS 22 through 27 with "[EFFECTIVE MARCH 30, 2022]".

Page 28, line 11, after "a" insert ":

(1) zero dollar (\$0) fee for a five (5) year reciprocity license;

(2) seventy-five dollar (\$75) fee for a lifetime reciprocity license; and

(3)".

Page 28, line 13, beginning with "These" begin a new line blocked left.

Page 30, delete lines 19 through 24.

Page 30, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 22. IC 35-47-2-25 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: (a) As used in this section, "state entity" means the following:

(1) A state agency.

(2) Any other authority, board, branch, commission, committee, department, division, or other instrumentality of the executive (including the administrative), legislative, or judicial department of state government.

(b) The following must develop a process that allows law enforcement officers the ability to quickly access information about whether a person is a prohibited person who may not knowingly or intentionally carry a handgun under IC 35-47-2-1.8(b):

(1) The state police department.

(2) The bureau of motor vehicles.

(3) Local law enforcement agencies.

(4) Any other state entity with access to information related to persons who may not knowingly or intentionally carry a handgun under IC 35-47-2-1.8(b).

(c) The information made available to law enforcement officers under subsection (b) must meet all state and federal statutory, constitutional, and regulatory requirements.

(d) State entities may enter into a memorandum of understanding to ensure that all legal requirements necessitated under this section are met."

Renumber all SECTIONS consecutively.

(Reference is to HB 1369 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 3.

SMALTZ, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1454, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "ambulance services" and insert **"advanced life support or basic life support ambulance services, when all policies and procedures have been followed, including trip scheduling and medical necessity review and services,"**

Page 1, line 5, delete "delivered" and insert **"when rendered"**.

Page 1, line 10, after "nonemergency" insert **"advanced life support or basic life support"**.

Page 3, line 30, delete "medical transportation" and insert **"advanced life support or basic life support ambulance services, when all policies and procedures have been followed, including trip scheduling and medical necessity review and services, when rendered"**.

Page 3, line 31, delete "delivered".

Page 3, line 34, delete "medical" and insert **"advanced life support or basic life support ambulance services"**.

Page 3, line 35, delete "transportation".

Page 4, line 22, after "physician" insert **"or the physician's order to be certified by a physician assistant, nurse practitioner, clinical nurse specialist, registered nurse, discharge planner, licensed practical nurse, social worker, or case manager, if the individual is employed by the physician, hospital, or facility from which the patient is transported and has personal knowledge of the patient's condition at the time the nonemergency ambulance transport is ordered or furnished."**

Page 4, delete line 23.

Page 4, line 24, delete "transportation".

Page 4, line 33, after "issue" delete "a" and insert **"an"**.

Page 4, line 34, delete "written".

Page 4, between lines 40 and 41, begin a new paragraph and insert:

"Sec. 3. A certification of a physician's order made under this chapter may be made by a physician assistant, nurse practitioner, clinical nurse specialist, registered nurse, discharge planner, licensed practical nurse, social worker, or case manager if the individual:

(1) is employed by the:

(A) physician; or

(B) hospital or facility from which the patient is transported; and

(2) has personal knowledge of the patient's condition at the time the nonemergency ambulance transport is ordered or furnished."

Page 4, delete lines 41 through 42, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "office" refers to the office of family and social services.

(b) An ambulance service provider that provides advanced life support (ALS) or basic life support (BLS) transports in Indiana shall provide the provider's actual

cost data for providing advanced life support and basic life support transports, including its average actual cost for advanced life support and basic life support transports, for the 2020 calendar year to the office before July 1, 2021.

(c) The office shall review and provide written feedback and questions, if any, regarding the submitted actual cost data provided in subsection (b) to each ambulance service provider before September 1, 2021.

(d) An ambulance service provider shall provide the provider's:

(1) written response to the feedback and questions received from the office; and

(2) finalized actual cost data for providing advanced life support and basic life support transports for the 2020 calendar year;

to the office before November 1, 2021.

(e) The office shall collate into a report the finalized actual cost data collected under this SECTION by county in which the transport was initiated. The report must be formatted in a manner to assist the general assembly in preparing legislation to address the issues resulting in incidents of surprise bills in advanced life support and basic life support transport in Indiana.

(f) Before December 1, 2021, the office shall submit the report required under subsection (e) to the legislative council in an electronic format under IC 5-14-6.

(g) This SECTION expires December 31, 2021.

SECTION 6. An emergency is declared for this act."

Delete pages 5 through 6.

(Reference is to HB 1454 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BARRETT, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1082, 1103, 1110, 1199, 1224, 1231, 1268, 1293, 1313, 1328, 1337, 1348, 1356, 1397, 1407, 1436, 1441 and 1553.

House Bill 1005

Representative Behning called down House Bill 1005 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1005-2)

Mr. Speaker: I move that House Bill 1005 be amended to read as follows:

Page 22, line 39, delete "FOLLOWS:" and insert "FOLLOWS [EFFECTIVE JULY 1, 2021]:".

(Reference is to HB 1005 as printed February 11, 2021.)

BEHNING

Motion prevailed.

HOUSE MOTION
(Amendment 1005-1)

Mr. Speaker: I move that House Bill 1005 be amended to read as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 18.

Page 19, delete lines 1 through 4.

Page 19, delete lines 12 through 39.

Page 22, line 9, strike "(a)".

Page 22, line 9, delete "Except as".

Page 22, line 10, delete "provided in subsection (b), an" and insert "An".

Page 22, delete lines 22 through 26.

Page 25, delete lines 34 through 42.

Delete pages 26 through 41.

Renumber all SECTIONS consecutively.

(Reference is to HB 1005 as printed February 11, 2021.)

DELANEY

Upon request of Representatives DeLaney and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 119: yeas 28, nays 63. Motion failed. The bill was ordered engrossed.

House Bill 1007

Representative Vermilion called down House Bill 1007 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1007-1)

Mr. Speaker: I move that House Bill 1007 be amended to read as follows:

Page 2, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 3. IC 16-19-18 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 18. Health Improvement Fund

Sec. 1. As used in this chapter, "fund" refers to the health improvement fund established by section 3 of this chapter.

Sec. 2. As used in this chapter, "state department" means the state department of health.

Sec. 3. (a) The health improvement fund is established. The state department shall administer the fund.

(b) The fund consists of the following:

(1) Money deposited in the fund.

(2) Interest and other earnings derived from investment of money in the fund.

(c) Interest, premiums, gains, or other earnings from the investments must be credited to and deposited in the fund.

(d) Money in the fund at the end of the state fiscal year does not revert to the state general fund.

(e) Money in the fund is continuously appropriated to the state department for the purposes of this chapter.

Sec. 4. Before January 1 of each odd-numbered year the state department shall submit its proposed budget expenditures from the fund. Money in the fund may be used for only one (1) or more of the following purposes:

(1) Treating and preventing tobacco addiction.

(2) Treating and preventing drug addiction.

(3) Reducing the incidence of diabetes.

(4) Increasing access to mental health services.

(5) Treating mental illness.

(6) Preventing infant and maternal mortality.

(7) Treating and preventing obesity.

(8) Closing the health disparity gap.

(9) Treating and preventing chronic illnesses (such as chronic obstructive pulmonary disease, hypertension, stroke, or sickle cell anemia).

(10) Funding grants under section 5 of this chapter.

Sec. 5. (a) Subject to subsections (b) and (c), the state department may award a grant under this chapter for the purpose of providing staffing for public health and medical professions or to solicit advice and recommendations from public health and medical professionals.

(b) A recipient of a grant awarded under this chapter must comply with guidelines developed by the state department in connection with grants awarded under this chapter."

Renumber all SECTIONS consecutively.

(Reference is to HB 1007 as printed February 11, 2021.)

DELANEY

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll

Call 120: yeas 28, nays 62. Motion failed. The bill was ordered engrossed.

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1438, 1447, 1478 and 1564.

The Speaker Pro Tempore yielded the gavel to the Speaker.

House Bill 1271

Representative Leonard called down House Bill 1271 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1271-5)

Mr. Speaker: I move that House Bill 1271 be amended to read as follows:

Page 4, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 4. IC 5-11-1-1, AS AMENDED BY P.L.104-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) There is established a state board of accounts. The board is **accountable to the legislative council** and consists of the state examiner and two (2) deputy examiners, as provided in this section.

(b) The principal officer of the board is the state examiner. To hold the office of state examiner, an individual must:

- (1) be appointed by the governor;
- (2) have the individual's appointment accepted by the legislative council in conformity with subsection (e); and
- (3) be a certified public accountant with at least five (5) years of accounting experience, including at least three (3) years of single audit experience in the public or private sector.

(c) The governor shall also appoint two (2) deputy examiners. To hold the office of deputy examiner, an individual must:

- (1) be appointed by the governor; and
- (2) be a certified public accountant.

A deputy examiner is subordinate to the state examiner. In the case of deputy examiners appointed after June 30, 2014, at least one (1) of the deputy examiners must have at least three (3) years of experience with the state board of accounts at the time of appointment.

(d) Not more than two (2) of the three (3) individuals appointed to the state board of accounts may be members of the same political party. The term of a state examiner is four (4) years. However, the term of the state examiner serving on January 1, 2014, ends December 31, 2017. Notwithstanding the expiration of the term of a state examiner, the state examiner may continue to serve as acting state examiner until a state examiner is appointed or reappointed. The term of a deputy examiner is coterminous with the term of the state examiner.

(e) The governor shall submit to the executive director of the legislative services agency in an electronic format under IC 5-14-6 the name of an individual who the governor recommends for appointment under subsection (b) along with any supporting information that the governor determines is appropriate. The executive director of the legislative services agency shall submit the governor's recommendation along with any submitted supporting information to the members of the legislative council and place the information on the Internet web site maintained by the general assembly. At a meeting open to the public, the legislative council may adopt a resolution to accept or reject a recommendation of the governor. The legislative council may reject a recommendation with or without cause. If the legislative council fails to adopt a resolution accepting or rejecting a recommendation within forty-five (45) days after the recommendation is submitted to the executive director of the legislative services agency in an electronic format

under IC 5-14-6, the recommendation shall be treated as accepted by the legislative council. The state examiner serving on January 1, 2014, shall be treated as accepted by the legislative council to the same extent as if the legislative council had adopted a resolution that accepted the state examiner's appointment.

(f) IC 4-21.5 applies to an action under this subsection. The state examiner and the deputy examiners are subject to removal by the governor for incompetency (including failure to maintain the individual's status as a certified public accountant) or for misconduct of the office. If the governor seeks to remove the state examiner under this subsection, the governor shall notify the state examiner in writing of the governor's proposed action in conformity with IC 4-21.5-3-4 and submit a copy of the notice to the executive director of the legislative services agency in an electronic format under IC 5-14-6. The notice must state the reasons for the proposed action and indicate that the state examiner has fifteen (15) days after being given notice to petition for review of the proposed action. The notice must specify that a petition for review of the proposed action must be made in writing and be submitted to the executive director of the legislative services agency in accordance with IC 4-21.5-3-7. The notice must also state that the state examiner may petition the legislative council under IC 4-21.5-3-4 for a stay of the proposed action pending final resolution of the matter. If a timely petition is filed with the executive director of the legislative services agency, the legislative council shall conduct a proceeding under IC 4-21.5 to review the petition. The determination by the legislative council is a final order. A state examiner removed from office under this subsection may petition for judicial review of a final action of the legislative council under IC 4-21.5-5 in the circuit or a superior court of Marion County. A deputy examiner removed from office under this subsection may petition for judicial review regarding the removal in the circuit or a superior court of Marion County.

(g) A vacancy in the office of state examiner or deputy examiner must be filled in the same manner provided under this section for the appointment of the vacating officer. An individual appointed to fill a vacancy serves for the remainder of the vacating individual's term."

Page 4, delete lines 34 through 42.

Page 5, delete lines 1 through 23.

Page 15, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 22. IC 6-1.1-17-0.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 0.3. (a) **"Nonconforming" means any action of a person under this chapter that does not strictly conform to the requirements, standards, computations, or thresholds prescribed by the statute or statutes that govern the action. This includes any:**

- (1) filing;
- (2) report;
- (3) determination;
- (4) calculation; or
- (5) other action;

required under this chapter.

(b) This subsection applies to a review by a public agency or court of competent jurisdiction of an action of a person taken under this chapter. To the extent that a statute prescribes a requirement, standard, computation, or threshold by which an action may or may not be taken, a person may not be held to have satisfied the requirement, standard, computation, or threshold if the action is nonconforming with respect to the statute that governs the action.

(c) This subsection applies to any:

- (1) filing;
- (2) report;
- (3) determination;
- (4) calculation; or

(5) other action;
required under this chapter. Notwithstanding the principle of substantial compliance with statutory requirements, an action described in this subsection may not be deemed to have substantially complied with the applicable statutory requirement if the form or content of that action is less than, or different from, what is expressly described as being required in the statute."

Page 27, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 30. IC 6-1.1-18.5-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 0.5. (a) "Nonconforming" means any action of a person under this chapter that does not strictly conform to the requirements, standards, computations, or thresholds prescribed by the statute or statutes that govern the action. This includes any:**

- (1) filing;
- (2) report;
- (3) determination;
- (4) calculation; or
- (5) other action;

required under this chapter.

(b) This subsection applies to a review by a public agency or court of competent jurisdiction of an action of a person taken under this chapter. To the extent that a statute prescribes a requirement, standard, computation, or threshold by which an action may or may not be taken, a person may not be held to have satisfied the requirement, standard, computation, or threshold if the action is nonconforming with respect to the statute that governs the action.

(c) This subsection applies to any:

- (1) filing;
- (2) report;
- (3) determination;
- (4) calculation; or
- (5) other action;

required under this chapter. Notwithstanding the principle of substantial compliance with statutory requirements, an action described in this subsection may not be deemed to have substantially complied with the applicable statutory requirement if the form or content of that action is less than, or different from, what is expressly described as being required in the statute."

Page 46, line 39, delete "2019];" and insert "2021];".

Page 55, line 19, delete "if subdivision (2) does not apply, a district subject to" and insert "a district that does not impose a levy under subdivision (2) shall give notice of the hearing on the proposed budget and submit the adopted budget in the manner prescribed by the department of local government finance. The budget of a district that does not impose a levy under subdivision (2) may not be considered subject to review by the department of local government finance under IC 6-1.1-17-16."

Page 55, delete lines 20 through 24.

Renumber all SECTIONS consecutively.

(Reference is to HB 1271 as printed February 11, 2021.)

LEONARD

Motion prevailed.

HOUSE MOTION
(Amendment 1271-6)

Mr. Speaker: I move that House Bill 1271 be amended to read as follows:

Page 76, line 4, after "collected," insert "**two dollars (\$2) of**".

Page 76, line 4, after "these fees" insert "**shall be placed in the clerk's record perpetuation fund established under IC 33-37-5-2 and the remainder**".

Page 76, between lines 36 and 37, begin a new paragraph

and insert:

"SECTION 74. IC 33-37-5-2, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2021 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) Each clerk shall establish a clerk's record perpetuation fund. The clerk shall deposit all the following in the fund:

(1) Revenue received by the clerk for transmitting documents by facsimile machine to a person under IC 5-14-3.

(2) Document storage fees required under section 20 of this chapter.

(3) The late payment fees imposed under section 22 of this chapter that are authorized for deposit in the clerk's record perpetuation fund under IC 33-37-7-2.

(4) The fees required under IC 29-1-7-3.1 for deposit of a will.

(5) Fees for preparing a transcript or copy of any record under section 1 of this chapter.

(6) Two dollars (\$2) for each marriage certificate issued by the clerk under IC 33-32-5-1.

(b) The clerk may use any money in the fund for the following purposes:

(1) The preservation of records.

(2) The improvement of record keeping systems and equipment.

(3) **The operation of a case management system.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1271 as printed February 11, 2021.)

ROWRAY

Motion prevailed.

HOUSE MOTION
(Amendment 1271-3)

Mr. Speaker: I move that House Bill 1271 be amended to read as follows:

Page 28, line 40, delete "for the town's general fund".

Page 29, line 2, delete "for the town's general fund".

(Reference is to HB 1271 as printed February 11, 2021.)

OLTHOFF

Motion prevailed. The bill was ordered engrossed.

House Bill 1549

Representative Behning called down House Bill 1549 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1468, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 41, delete "shall" and insert "**may**".

Page 6, delete lines 14 through 42.

Page 7, delete lines 1 through 29.

Page 9, delete lines 32 through 42.

Delete pages 10 through 13.

Page 14, delete line 1.

Page 19, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 26. IC 27-1-24.5-5, AS ADDED BY P.L.68-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. As used in this chapter, "health plan" means the following:

(1) A state employee health plan (as defined in IC 5-10-8-6.7).

(2) A policy of accident and sickness insurance (as defined

in IC 27-8-5-1). However, the term does not include the coverages described in IC 27-8-5-2.5(a).

(3) An individual contract (as defined in IC 27-13-1-21) or a group contract (as defined in IC 27-13-1-16) that provides coverage for basic health care services (as defined in IC 27-13-1-4).

(4) Any other plan or program that provides payment, reimbursement, or indemnification to a covered individual for the cost of prescription drugs."

Renumber all SECTIONS consecutively.

(Reference is to HB 1468 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1577, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 9 with "[EFFECTIVE JULY 1, 2021]".

Page 2, line 11, delete "fetus." and insert "**fetus by interment in compliance with IC 23-14-54 or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31.**"

Page 3, line 3, after "performed;" insert "**or**".

Page 3, line 4, delete "provider; or" and insert "**provider;**".

Page 3, delete lines 5 through 6.

Page 3, line 32, strike "nine (9) weeks" and insert "**eight (8) weeks**".

Page 3, line 35, after "age." insert "**A physician must dispense the abortion inducing drug in person and have the pregnant woman consume the drug in the presence of the physician.**".

Page 3, line 40, after "form." insert "**A physician shall also provide, orally and in writing, along with other applicable information, the following statement: 'Some evidence suggests that the effects of an abortion inducing drug can be avoided, ceased, or reversed if the second dose of the abortion inducing drug has not been taken. (Insert applicable abortion inducing drug reversal web site and corresponding hotline number).'**".

Page 5, line 27, delete "drug. Information provided" and insert "**drug that includes the following statement: 'Some evidence suggests that mifepristone effects may be avoided, ceased, or reversed if the misoprostol has not been taken.' (Insert applicable abortion inducing drug reversal Internet web site and corresponding hotline number).'**".

Page 5, delete lines 28 through 35.

Page 16, delete lines 9 through 14 and insert "**used to provide any abortion, including the writing or filling of a prescription for any purpose that is intended to result in an abortion.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1577 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 3.

BARRETT, Chair

Report adopted.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1109

Representative Bartels called down Engrossed House Bill

1109 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 121: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Charbonneau and Doriot.

Engrossed House Bill 1340

Representative Clere called down Engrossed House Bill 1340 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 122: yeas 89, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Becker, Glick, Crider and Breaux.

Engrossed House Bill 1372

Representative Barrett called down Engrossed House Bill 1372 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 123: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Raatz.

Engrossed House Bill 1467

Representative Davisson called down Engrossed House Bill 1467 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 124: yeas 91, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Charbonneau.

Engrossed House Bill 1483

Representative Snow called down Engrossed House Bill 1483 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning commercial law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 125: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Leising, Mishler and Messmer.

Engrossed House Bill 1536

Representative DeVon called down Engrossed House Bill

1536 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 126: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Grooms.

Representatives V. Smith and Zent who had been excused, are now present.

Engrossed House Bill 1576

Representative Teshka called down Engrossed House Bill 1576 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 127: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Doriot.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1164, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 3. IC 8-1-2-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5.5. (a) Every:

- (1) corporation organized under IC 8-1-13;
- (2) corporation organized under IC 23-17 that is an electric cooperative and that has at least one (1) member that is a corporation organized under IC 8-1-13; and
- (3) municipality providing electric service;

shall permit attachments by communications service providers to poles owned or controlled by the corporation or municipality.

(b) A rate, term, or condition imposed by a corporation or municipality described in subsection (a) for access to poles owned or controlled by the corporation or municipality:

- (1) must be nondiscriminatory, just, and reasonable; and
- (2) must not favor the pole owner or an affiliate of the pole owner.

(c) Any pole attachment rental fee imposed by a corporation or municipality described in subsection (a) for access to poles owned or controlled by the corporation or municipality:

- (1) must be calculated on an annual, per-pole basis; and
- (2) is considered to provide reasonable compensation and to be nondiscriminatory, just, and reasonable if the fee:

- (A) is agreed upon by the parties; or
- (B) is not greater than the fee that would apply if the pole attachment rental fee were calculated in

accordance with the formula set forth in 47 U.S.C. 224(d), as applied by the Federal Communications Commission.

(d) If a communications service provider and a corporation or municipality described in subsection (a) fail to agree upon:

- (1) access to poles owned or controlled by the corporation or municipality; or
- (2) the rates, terms, and conditions for attachment to poles owned or controlled by the corporation or municipality;

the communications service provider may apply to the commission for a determination of the matter.

(e) Upon receiving a request for a determination under subsection (d), the commission shall:

- (1) proceed to determine whether:
 - (A) the denial of access to one (1) or more poles was unlawful; or
 - (B) the rates, terms, and conditions complained of were not just and reasonable;
- as applicable; and
- (2) issue an order:
 - (A) directing that access to the poles at issue be permitted; and
 - (B) prescribing for such access such rates, terms, conditions, and compensations that:
 - (i) are reasonable; and
 - (ii) comply with subsections (b) and (c).

(f) In any case in which the commission issues an order under subsection (e):

- (1) the access ordered by the commission under subsection (e)(2)(A) shall be permitted by the corporation or municipality; and
- (2) the rates, terms, conditions, and compensations prescribed by the commission under subsection (e)(2)(B) shall be observed, followed, and paid by the parties, as applicable;

subject to recourse to the courts upon the complaint of any interested party as provided in this chapter and in IC 8-1-3. Any order of the commission under subsection (e) may be revised by the commission from time to time upon application of any interested party or upon the commission's own motion.

SECTION 4. IC 8-1-2-101 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 101. (a) Every municipal council or county executive shall have power:

- (1) To determine by ordinance the provisions, not inconsistent with subsection (c), other provisions of this chapter, or IC 8-1-11.1, upon which a public utility or department of public utilities created under IC 8-1-11.1 occupies the areas along, under, upon, and across the streets, highways, or other public property within such municipality or county. ~~and~~ Such an ordinance or other determination of ~~such a~~ municipality or county executive shall be in force and prima facie reasonable if the ordinance or determination complies with subsection (c). Upon complaint made by such public utility or department of public utilities, or by any qualified complainant, as provided in section 54 of this chapter, the commission shall set a hearing, as provided in sections 54 to 67 of this chapter, and if it shall find such ordinance or other determination to be unreasonable, such ordinance or other determination shall be void.
- (2) To require of any public utility, by ordinance, such additions and extensions to its physical plant within said municipality or county as shall be reasonable and necessary in the interest of the public, and to reasonably designate the location and nature of all such additions and extensions, the time within which they must be completed, and all conditions under which they must be constructed, subject to review by the commission as provided in

subdivision (1).

(3) To provide for a penalty for noncompliance with the provisions of any ordinance or resolution adopted pursuant to the provisions of this section.

(4) The power and authority granted in this section shall exist and be vested in said municipalities or county executives, anything in this chapter to the contrary notwithstanding.

Provided, however, ~~whenever, after that if a public utility or department of public utilities makes a request by petition in writing of any public utility, department of public utilities, and completes any required permit application, and the city or other political subdivision or other body having jurisdiction of the matter shall refuse or fail; refuses or fails, for a period of thirty (30) twenty-one (21) days or twenty-eight (28) days, as applicable under subsection (c)(5), to give or grant to such public utility or department of public utilities permission and authority to construct, maintain, and operate any additional construction; equipment or facility within the public right-of-way as is reasonably necessary for the transaction of the business of such public utility or department of public utilities and for the public convenience or interest, then such public utility or department of public utilities may file a petition with said commission for such right and permission, which The petition shall must state, with particularity, the construction; equipment or other facility desired to be constructed and operated, and show a reasonable public necessity therefor, and also state the failure or refusal of such city, political subdivision, or other body to give or grant such right or permission. and Upon receipt of the petition, the commission shall thereupon give notice of the pendency of such petition, together with a copy thereof, to such city or other political subdivision or body, and of the time and place of hearing of the matter set forth in such petition. and such The commission shall have power to hear and determine such matters and to give or grant such right and permission and to impose such conditions in relation thereto as the necessity of such public utility or department of public utilities and the public convenience and interest may reasonably require, subject to subsection (c). Provided, further, that when the construction, installation, maintenance, repair, relocation, or operation by a public utility or department of public utilities of any of its construction, equipment, or facility located facilities is requested to be performed within the corporate limits of two (2) or more adjoining cities political subdivisions and is reasonably necessary for the public convenience or interest, and any or either of said cities fail or refuse political subdivisions fails or refuses to give or grant to such public utility or department of public utilities permission and authority to relocate such construction; equipment; or facility, perform the requested work, the public utility, the department of public utilities, or any municipality which political subdivision that has given or granted to such public utility or department of public utilities permission and authority to relocate such construction; equipment; and facility, the public utility or department of public utilities perform the work may file a petition with said commission for such right and permission. to which petition the city or cities failing or The political subdivision failing or refusing to give or grant the same right and permission shall be made a respondent to the petition, and such public utility or department of public utilities, if not the petitioner, shall also be made a respondent. and said The commission shall have power to hear and determine such matter, and to give or grant such right and permission, and to impose such conditions in relation thereto as the public convenience and interest may reasonably require, and subject to subsection (c). If said commission shall give or grant such right and permission, no further public authority is required for the public utility or department of public utilities to make such relocation perform the work as authorized or to go on any street, alley, road, or highway in said~~

city or cities political subdivision necessary to be used therefor. shall be required of said public utility or department of public utilities. All orders entered before June 30, 1931, by the commission in cases within the provisions of this section are hereby declared legal and valid.

(b) Subject to the commission's authority under subsection (a)(1) with respect to an ~~unreasonable~~ ordinance or other determination **that is unreasonable or does not comply with subsection (c)**, the municipality or county executive may operate and maintain the streets, highways, and other public property in the municipality or county for the safety of the traveling public, and a municipality or county executive may manage the public right-of-way or require by ordinance fair and reasonable compensation on a competitively neutral and nondiscriminatory basis for occupation of the public right-of-way, ~~on a nondiscriminatory basis~~, including occupation by the municipality or county executive, if the compensation required is publicly disclosed by the municipality or county executive. Fair and reasonable compensation may not exceed the municipality's or county executive's direct, actual, **documented**, and reasonably incurred costs of managing the public right-of-way **that are directly** caused by the public utility's or department of public utilities' occupancy. The management costs, which the municipality or county executive shall assign individually to the public utility or department of public utilities creating the management costs, must be limited to the direct, actual, **documented**, and reasonably incurred costs a municipality or county incurs in managing the public right-of-way. As used in this section, the term "management costs" includes but is not limited to the costs to the municipality or county of the following:

- (1) **Registering occupants. Reviewing written requests or applications for occupation.**
- (2) **Verifying public right-of-way that the requested occupation is within the public right-of-way.**
- (3) **Updating municipal or county records to reflect the occupation.**
- ~~(3)~~ (4) **Inspecting job sites and restoration projects.**
- ~~(4)~~ (5) **Restoring Performing restoration work inadequately performed after providing notice and the opportunity to correct the work.**
- ~~(5)~~ (6) **Administering a reasonable restoration ordinance that ensures that a public utility or department of public utilities adequately restores the right-of-way as near as is reasonably possible to the right-of-way's original condition.**
- ~~(6)~~ (7) **Management costs associated with the implementation of an ordinance adopted under this section.**

However, as used in this section, direct, actual, **documented**, and reasonably incurred management costs do not include rents, franchise fees, or any other payment by a public utility or department of public utilities for occupation of the public right-of-way, **or any costs incurred by the municipality or county that are not directly associated with the public utility's or department of public utilities' occupation of the public right-of-way.** As used in this section, the term "public right-of-way" does not include the airwaves above the streets, highways, or other public property within the municipality or county as those airwaves are used for cellular or other nonwire telecommunications or broadcast service.

(c) A municipality or county executive may not unreasonably delay a public utility's or department of public utilities' access to or use of a street, highway, or other public property within the municipality or county. However, subsection (a)(1) and this subsection do not limit a municipality or county executive's right to advance notification of and review of a public utility's or department of public utilities' occupation of a street, highway, or other public property within the municipality or county to ensure and protect the safety of the public, **subject to the**

following:

(1) A municipality or county executive may require a utility that is not subject to the commission's jurisdiction to carry liability insurance covering the work to be performed or the occupation of the public right-of-way in an amount not greater than the cost of returning the public right-of-way to a condition equivalent to the public right-of-way's condition before the performance of the work. However, the municipality or county executive may not require such a utility to provide proof of liability insurance more than once in a calendar year, or in a calendar year in which the utility does not apply for a permit from the municipality or county executive under this section.

(2) A municipality or county executive may not require a public utility or department of public utilities to submit more than one (1) drawing or site plan showing:

(A) the location of the facilities or equipment to be installed, maintained, or operated;

(B) the size of and materials comprising the facilities or equipment to be installed;

(C) the length of the installation; and

(D) the number of road cuts, road bores, or bridge or other structural attachments required for the installation, maintenance, or operation of the equipment or facilities.

(3) A municipality or county executive may not require a public utility or department of public utilities to submit more than one (1) notice, request, or application packet for the work to be performed or the occupation of the public right-of-way. If the notice, request, or application requires the review of more than one (1) department, board, or other entity within the municipality or county, the municipality or county executive must coordinate the review among the departments, boards, or other entities before issuing a determination.

(4) A municipality or county executive may charge only one (1) fee for compensation under subsection (b), regardless of the number of departments, boards, or other entities that must review the request or application.

(5) A municipality or county executive must issue a determination regarding an application or request for occupation of the right-of-way not later than:

(A) twenty-one (21) days after the date of the application or request; or

(B) twenty-eight (28) days after the date of the application or request if the municipality or county executive provides written notice to the applicant of the extension and the reason for the extension.

The municipality's or county executive's determination under this subdivision must include confirmation that the requested occupation is within the public right-of-way of the municipality or county. If a municipality or county executive fails to issue a determination regarding an application or request for occupation of the right-of-way in the time required under clause (A) or clause (B), as applicable, the application or request is considered approved. However, if the applicant requires additional time to cure defects in the applicant's application or request, or if the review of the application or request by the municipality or county executive is otherwise delayed by the applicant, the time period described in clause (A) or clause (B) within which the municipality or county executive must issue a determination is extended for a corresponding amount of time.

(6) Municipalities and county executives shall, to the extent practicable, establish notice, request, and

application procedures and forms that are uniform, reasonable, and brief. To the extent such procedures and forms are prescribed by law or regulation, or by an entity formed to represent the interests of Indiana municipalities or counties, municipalities and counties shall use such procedures and forms as prescribed. A municipality or county executive must electronically receive and process notices, requests, and applications for public utilities' and departments of public utilities' occupation of the right-of-way.

(7) Municipalities and county executives shall, to the extent practicable, work collaboratively with utilities to ensure that the public right-of-way is returned to its original condition within a reasonable amount of time.

(d) This section may not be construed to entitle a municipality or county executive the right to advance notification and review of work by a public utility or department of public utilities:

(1) that is performed on existing equipment or facilities located within the public right-of-way; and

(2) that:

(A) does not require ground disturbance activities;

(B) does not affect traffic flow; or

(C) is required due to a bona fide emergency that threatens injury to persons, loss of property, or loss or disturbance of utility service.

For purposes of this subsection, "ground disturbance activities" means any work, operation, or activity that results in a disturbance of the earth, including excavating, digging, trenching, cultivating, drilling, tunneling, boring, backfilling, blasting, topsoil stripping, clearing, or grading. The term does not include maintenance or other minor work, such as checking or inspecting handholes, manholes, or other facilities.

(d) (e) Nothing in this section may be construed to:

(1) affect franchise agreements between a cable company and a municipality or county; or

(2) modify the service area rights of a utility under any other law."

Delete pages 4 through 11.

Page 12, delete lines 1 through 24.

Page 16, line 16, delete "The" and insert "Except as specifically required under state or federal law, or except as required to respond to consumer complaints or information requests from the general assembly, the".

Page 16, line 19, delete "the communications service" and insert "a petition or request filed or submitted to the commission by the communications service provider,".

Page 16, delete line 20.

Page 16, line 21, delete "under IC 8-1-32.5,".

Page 16, line 29, delete "service, and service availability and maps of" and insert "service.".

Page 16, delete line 30.

Page 16, delete lines 31 through 42, begin a new paragraph and insert:

"SECTION 7. IC 8-1-32.3-15, AS AMENDED BY P.L.23-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 15. (a) This chapter applies to permits issued by a permit authority to a communications service provider, under local law and consistent with IC 36-7, for the following:

(1) Construction of a new wireless support structure.

(2) Substantial modification of a wireless support structure.

(3) Collocation of wireless facilities on an existing structure.

(4) Construction, placement, and use of small cell facilities.

(b) A permit authority may not require an application or a permit for, or charge fees for, any of the following:

(1) The routine maintenance of wireless facilities.

(2) The replacement of wireless facilities with wireless facilities that are:

- (A) substantially similar to; or
- (B) the same size or smaller than;

the wireless facilities being replaced.

(3) The installation, placement, maintenance, or replacement of micro wireless facilities that are suspended on cables strung between existing utility poles in compliance with applicable codes by a communications service provider that is authorized to use the public rights-of-way. For purposes of this subdivision, "applicable codes" means uniform building, fire, electrical, plumbing, or mechanical codes that are:

- (A) adopted by a recognized national code organization; and
- (B) enacted solely to address imminent threats of destruction of property or injury to persons;

including any local amendments to those codes.

(c) With respect to the construction, placement, or use of a small cell facility and the associated supporting structure, a permit authority may prohibit the placement of a new utility pole or a new wireless support structure in a right-of-way within an area that is designated strictly for underground or buried utilities, if all of the following apply:

(1) The area is designated strictly for underground or buried utilities before May 1, 2017.

(2) **No above ground:**

- (A) **wireless support structure;**
- (B) **utility pole; or**
- (C) **other utility superstructure;**

other than light poles, exists in the area.

(3) The permit authority does all of the following:

(A) Allows the collocation of small cell facilities on existing:

- (i) utility poles; ~~and~~
- (ii) **light poles; and**
- ~~(iii)~~ (iii) wireless support structures;

as a permitted use within the area.

(B) Allows the replacement or improvement of existing:

- (i) utility poles; ~~and~~
- (ii) **light poles; and**
- ~~(iii)~~ (iii) wireless support structures;

as a permitted use within the area.

(C) Provides:

- (i) a waiver;
- (ii) a zoning process; or
- (iii) another procedure;

that addresses requests to install new utility poles or new wireless support structures within the area.

(D) Upon receipt of an application for the construction, placement, or use of a small cell facility on one (1) or more new utility poles or one (1) or more new wireless support structures in an area that is designated strictly for underground or buried utilities, posts notice of the application on the permit authority's Internet web site, if the permit authority maintains an Internet web site. The notice of the application required by this clause must include a statement indicating that the application is available to the public upon request.

(4) The prohibition or other restrictions with respect to the placement of new utility poles or new wireless support structures within the area are applied in a nondiscriminatory manner.

(5) The area is zoned strictly for residential land use before May 1, 2017.

(d) **With respect to applications for the placement of one (1) or more small cell facilities in an area that is zoned strictly for residential land use, and that is designated strictly for underground or buried utilities, a permit authority**

shall allow a neighborhood association or a homeowners association to register with the permit authority to:

(1) receive notice; **and**

(2) **request that homeowners within the jurisdiction of the neighborhood association or homeowners association receive notice;**

by United States mail of any application filed with the permit authority for the construction, placement, or use of a small cell facility on one (1) or more new utility poles or one (1) or more new wireless support structures in an area **that is designated strictly for underground or buried utilities and that is within the jurisdiction of the neighborhood association or homeowners association.** If the permit authority maintains an Internet web site, the permit authority shall post on the permit authority's Internet web site instructions for how a neighborhood association or homeowners association may register to receive notice under this subsection. **A permit authority that receives a request under subdivision (2) may agree to provide notice to homeowners regarding a project for which applications described in this subsection have been filed with the permit authority, but not provide notice to homeowners regarding each permit application filed with the permit authority with respect to the project. A permit authority that receives a request under subdivision (2) may agree to provide notice only to certain homeowners. A permit authority may require a neighborhood association, homeowners association, or homeowner to pay the cost of postage associated with the provision of notice to the neighborhood association, homeowners association, or homeowner under this subsection. A permit authority that provides notice under this subsection at its own cost may not pass those costs along to a permit applicant. To the extent technically feasible, a permit authority shall collaborate with a neighborhood association or homeowners association on the location and aesthetics of new utility poles added within the jurisdiction of the neighborhood association or homeowners association.**

(e) Subject to section 26(b) of this chapter, with respect to the construction, placement, or use of a small cell facility and the associated supporting structure within an area:

(1) designated as a historic preservation district under IC 36-7-11;

(2) designated as a historic preservation area under IC 36-7-11.1; or

(3) that is subject to the jurisdiction of the Meridian Street preservation commission under IC 36-7-11.2;

a permit authority may apply any generally applicable procedures that require applicants to obtain a certificate of appropriateness.

(f) An applicant for the placement of a small cell facility and an associated supporting structure shall comply with applicable:

(1) Federal Communications Commission requirements; and

(2) industry standards;

for identifying the owner's name and contact information.

(g) A resolution, ordinance, or other regulation:

(1) adopted by a permit authority after April 14, 2017, and before May 2, 2017; and

(2) that designates an area within the jurisdiction of the permit authority as strictly for underground or buried utilities;

applies only to communications service providers and those geographic areas that are zoned residential and where all existing utility infrastructure is already buried."

Delete pages 17 through 18.

Page 19, delete line 1 through 7.

Page 19, line 31, delete "A" and insert "**Except as described in section 26(a) of this chapter with respect to small cell facilities, and subject to the restrictions under 14 CFR Part 77, 47 CFR Part 17, and IC 8-21-10, a**".

Page 19, line 32, after "on" insert "**the**".

Page 19, line 34, delete "distance" and insert "**distances**".

Page 19, delete lines 36 through 42.

Page 20, delete lines 1 through 6.

Page 23, line 16, delete "service," and insert "**programming**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1164 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 4.

SOLIDAY, Chair

Report adopted.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Acts 1 on February 15.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bill 1369 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere, Ledbetter and Fleming be added as coauthors of House Bill 1103.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Steuerwald, Schaibley and Hatfield be added as coauthors of House Bill 1125.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as coauthor of House Bill 1127.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Young and V. Smith be added as coauthors of House Bill 1231.

SAUNDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morris be added as coauthor of House Bill 1260.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cook and M. Bauer be added as coauthors of House Bill 1268.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Heine, Clere and

Pryor be added as coauthors of House Bill 1271.

LEONARD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives M. Bauer, Lehe and Aylesworth be added as coauthors of House Bill 1283.

HARRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bartels and Frye be added as coauthors of House Bill 1372.

BARRETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Negele be added as coauthor of House Bill 1381.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be added as coauthor of House Bill 1395.

EBERHART

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bartels be added as coauthor of House Bill 1396.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Davis be added as coauthor of House Bill 1397.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Campbell be added as coauthors of House Bill 1405.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Heaton, Lauer and Cook be added as coauthors of House Bill 1421.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Hamilton and Bartlett be added as coauthors of House Bill 1437.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Behning be added as coauthor of House Bill 1438.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be added as coauthor of House Bill 1441.

DELANEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Carbaugh and Austin be added as coauthors of House Bill 1447.

VERMILION

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Carbaugh be added as coauthor of House Bill 1448.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Shackelford be added as coauthor of House Bill 1467.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Heaton be added as coauthor of House Bill 1553.

BEHNING

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 10, 202, 207 and 370 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 6, 7, 8, 10 and 11 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

On the motion of Representative Snow, the House adjourned at 3:48 p.m., this fifteenth day of February, 2021, until Tuesday, February 16, 2021, at 2:30 p.m.

TODD M. HUSTON

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives